

**WOMEN'S EXPERIENCES OF LAWS, POLICIES AND PRACTICES IN
RESPONSE TO VAWIR: WHOSE RIGHTS ARE MAINTAINED?**

by

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THESIS SUBMITTED IN PARTIAL FULFILLMENT OF
THE REQUIREMENTS FOR THE DEGREE OF
MASTER OF SOCIAL WORK

UNIVERSITY OF NORTHERN BRITISH COLUMBIA

August 28, 2016

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ABSTRACT

This study explores women's experiences of the criminal justice system in response to experiencing male violence in their intimate relationships, in a northern British Columbia community. Employing qualitative research methodology, this research utilized semi-structured interviews with women who had experienced male violence in their intimate relationships. Study findings revealed that participants were victims of structural violence and covert and overt oppressions. While all participants spoke of system strengths through their positive interactions with RCMP, the majority of women felt their interactions with the criminal justice system were negative. Many women did not feel their specific protection order or more broadly, the criminal justice system process upheld their legal rights to safety.

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GLOSSARY

Accused or Alleged Perpetrator: terms used by the criminal justice system referring to an individual suspected of having committed a crime and who has had charges laid against them by crown counsel (Zhang, Hoddenbagh, McDonald, & Scrim, 2012).

Criminal Justice System (CJS): refers to police, crown counsel, lawyers, judges, court system personnel, and community corrections, such as probation officers and bail supervisors (Light, Ruebsaat, Turner, Novakowski, & Walsh, 2008).

Domestic Violence (DV) and Violence Against Women in Relationships (VAWIR): are terms utilized by the BC provincial government. Although the provincial government employs the term domestic violence the BC's provincial *Violence Against Women in Relationships Policy* (2010) uses the language of violence against women in relationships as this recognizes the power-based nature of this crime (Rossiter, 2011, p. 6). This policy acknowledges that while men also experience violence against them in their intimate relationships, women are more frequently victims of domestic violence.

Domestic violence consists of a variety of abuses such as threats, and physical, psychological, emotional, sexual, and financial abuse; and exists in past or present dating, common-law, or marriage relationships. DV is perpetrated to intimidate and is a form of power and control (Legal Services Society, 2013b).

The Canadian Research Institute on the Advancement of Women (CRIAW; 2013, p.3) provides some terminology of violence related to VAWIR:

Economic abuse: is depriving someone of the wages she earned, preventing her from getting or keeping employment, and not letting her know about or limiting her access to family income or personal resources.

Criminal harassment (stalking): this includes behaviours of unwanted communication, surveillance at home or work, following someone or having her followed, and direct threats to other individuals causing them to fear for safety of themselves or another person.

Emotional abuse, psychological abuse, controlling behaviour: humiliating her, insults, name-calling, isolation or forced isolation, destruction of property, and playing mind games.

Sexual harassment: includes pressure to submit to a sexual request in exchange for needed goods, unwanted sexual attention, demeaning and degrading gestures and comments of a sexual nature in private or public places, and threats of reprisals for refusal to comply with a sexual request.

Sexual violence: refers to attempted rape, rape, or any form of non-consensual sexual activity. Sexual violence is achieved by force or threat of force, and/or intimidation.

Physical violence: reflected by threats of violence, or physical acts of slapping, choking, pushing, kicking, burning, hitting with weapons, hand, or fists, etc.

Family Violence (FV): the Canadian Federal government employs this term which Jamieson and Gomes (2010) define as “a variety of abusive behaviours within relationships based on kinship, intimacy, dependency or trust” (p. 1, as cited in Rossiter

(2011). This term does not reflect that women are disproportionately victims of violence in relationships (Rossiter, 2011).

Gender-based violence and violence against women: The international community often uses these two terms placing importance upon the gendered nature of the violence. Violence against women, as defined by the United Nations' (1993) Declaration on the Elimination of Violence, refers to any act of violence based on gender, or the threat of violence, which does or may, result in, sexual, physical, or psychological harm directed at women. This can include deprivation of rights and coercion.

Intimate Partner Violence (IPV), Intimate Partner Abuse: reflects “gender symmetry” and is language used by men’s rights activists and family violence researchers, along with the term domestic violence (Desmarais, Gibas, & Nicholls, 2009, as cited in Rossiter, 2011). IPV is different from violence inflicted by other individuals due to the emotional attachment of the victim, the possible ongoing relationship between the victim and abuser, and potential financial dependency on the abuser (Ogrodnik, 2006, as cited in Sinha, 2012, p. 26).

Partner or Spouse: relationships of people aged fifteen years and older who are common-law, married, separated, or divorced, including past or current relationships (Zhang, Hoddenbagh, McDonald, & Scrim, 2012).

Spousal violence: the terminology of the BC Crown Counsel Policy manual and Statistics Canada’s General Social Survey victimization cycle, and refers to sexual and physical violence incidents charged under the Criminal Code of Canada as noted by Rossiter

(2011). Used in a broader definition this term implies the violence one spouse uses against their partner (both past and present) (Zhang, Hoddenbagh, McDonald, & Scrim, 2012).

Victim: refers to the direct individual/victim who is experiencing the violence (McInturff, 2013). For the purposes of this research the term victim will be used as in this study, women have been victims of a crime. This is in alignment with Coates and Ridley (2009) who assert the “use of ‘victim’ reclaims its meaning of indicating that a person was harmed, that violence is wrong and that victims must be supported rather than undermined” (p. 111).

Violence against Women, Wife assault, Woman abuse: terminology utilized by feminist scholars and community activists as these terms express the gender-base of this violence (DeKeserdy, 2011; Johnson & Dawson, 2011, as cited in Rossiter, 2011).

Acknowledgements

I am so very thankful to the women who bravely agreed to participate in this study. This research could not have occurred without the sharing of your experiences of violence against women in relationships including the criminal justice system. You are all much stronger and braver than you know. I hope that I have done your words and experiences justice.

I am grateful and give thanks to the UNBC School of Social Work and faculty, and most especially my research supervisor Dr. Indrani Margolin who supported and encouraged me during this project. I am thankful to my committee members Dawn Hemingway and Theresa Healy who were helpful and supportive of this endeavour. And to Dr. Si Transken who spent many years encouraging me to do my Masters, I am grateful for your support and belief in me. I have gained much knowledge from you all.

I am also so very thankful to my husband Dale who has been my steady rock and supporter through all these years of pursuing my academic endeavours, including working on this study. Thanks for believing in my ability to complete one of the biggest things I have ever undertaken, even when I did not. For all the times you had to deal with the crazy student brain, anxiety attacks, household chores, and the reams of paper all over the house – you did whatever was needed in order to provide me with the time needed to accomplish my academic goal. I love you. Thanks also go out to my children Keely and Wade for their support and encouragement.

And last, but certainly not least, I send thanks and gratitude to an angel. My best friend Christine passed away while I was working on this research. She had unending faith

and belief in me, and always told me how she could not wait to read my completed thesis.

I send a copy of this to heaven on butterfly wings with love my beautiful friend.

CHAPTER ONE: INTRODUCTION

“You promised never to break her heart.

You obviously failed to discuss her nose” (*Eisner, W. & Assoc., 1997*)

Overview and Goals of Research

We live in a world where unfortunately, wars have become common place; with the most familiar wars being the Gulf War, the war in Afghanistan, the war in Iraq, the War on Drugs, the War on Terror, and the War on Crime as acknowledged by Vallee (2007, p. 27). Vallee recorded that throughout 2000-2006, 101 Canadian law enforcement and military deaths occurred, with these fallen heroes paid tribute. However, another war exists with many more victims killed by “hostiles” and the victims not labelled heroes (p. 28). This war, called the War on Women, resulted in more than five hundred women in Canada killed in this war, five times the number of deaths recorded during the same length of time as the Canadian law enforcement and military deaths (Vallee, 2007, p. 28).

Violence against women greatly influences women’s economic and social equality, mental and physical health, economic security, and well-being (Johnson, 2006, p. 7). The United Nations (1996) reported:

Violence against women is an obstacle to the achievement of the objectives of equality, development and peace. Violence against women both violates and impairs or nullifies the enjoyment by women of their human rights and fundamental freedoms. The long-standing failure to protect and promote those rights and freedoms in the case of violence against women is a matter of concern to all states and should be addressed (p. 48).

The Canadian Research Institute on the Advancement of Women (2013) stated “despite decades of research and grassroots lobbying, violence against women remains one of the most persistent manifestations of misogyny and gender discrimination” (p. 1).

Women are far more vulnerable than men when an intimate partner perpetrates violence.

Resulting from public outrage and feminist activism, Canadian federal and British Columbia provincial governments acknowledged the issue of violence against women in relationships (VAWIR) and, in response, created laws and policies to emphasize the criminality of VAWIR, as well as provided direction to the criminal justice system response regarding VAWIR (Gillis et al., 2006). However, violence against women has become recognized as a major social problem, and while there are some good laws and policies in British Columbia, there are still no domestic violence laws under the *Criminal Code of Canada*, or in British Columbia (Justice Education Society, 2010). Irrespective of the many policies and laws, domestic violence has become prevalent with many more lives affected than the numbers reported. 1.2 million Canadians were victims of domestic violence from 2009-2013 (McInturff, 2013).

Leaving a violent relationship forces many women into a precarious position of economic instability as evidenced by women accessing food banks “at nearly twenty times the rate of average Canadians, for up to three years after leaving the abusive relationship” (McInturff, 2013, p. 6). Statistics Canada (2008) reported that the most impoverished family groups in Canada are female single parents with 32% of single mothers considered as low income as compared to two-parent families at 8%. Single mothers in 2006 also earned less on average than male single parent families at \$37,000 compared to \$54,500 earned by single-parent male families.

Through arguing the personal is political, feminists assert violence against women is the result of political disempowerment of women as a group as posited by Barata (2007), making the issue of VAWIR “appropriate for political analysis and regulation” (p. 1299). The fact that domestic violence has become such a human rights issue (Sinha, 2013), and is still such a problem, leads me to question how women experience the criminal justice system in response to their experiences of violence against women in relationships? Alternatively, perhaps there is an issue with how these laws and policies are carried out in practice, or a combination of both? An important piece of this puzzle, I believe, is women’s lived knowledge about how British Columbian laws, policies and practices of violence against women are experienced by the very women whose rights they are meant to protect and uphold.

Significance of the Research

Violence against women in relationships is a major psychological, social, economic, and political issue. The policies and guidelines put in place to deal with the human right issue of VAWIR in British Columbia and Canada are not adequate, and it is imperative that government and society accomplish more. In terms of the economic issue, violence in relationships comes at a price to everyone. Zhang, Hoddenbagh, McDonald and Scrim (2012) reported the estimated cost of domestic violence in Canada was \$7.4 billion dollars per year.

Although the numbers of women murdered due to VAWIR has fluctuated over the years with 67 women having been killed in Canada in 2009 (Beattie & Cotter, 2010), and

14 women reported murdered in 2014 in BC (British Columbia Ministry of Justice and BC Coroners Service, 2014), these numbers are intolerable.

In 2014, twenty-nine deaths occurred in BC due to domestic violence including parent-child homicides, other domestic relationship killings, and deaths of perpetrators who killed themselves (EVABC, 2014). In Langley, BC, on April 2, 2014, Sonia Cella filed for divorce from her separated husband Andre Harvey Richard, forty-four years old. Officials suspected he set the family home on fire while Sonia, her fourteen-year-old daughter, and his eight-year-old son were inside. He then assaulted his estranged wife and her daughter with a hammer and fled the home. Police arrested Richard the next day near Fernie (Crawford, 2014). At the time Andre Richard was charged with fourteen charges: not complying with a no-contact order restraining him from having contact with his wife, break and enter, arson, attempted murder, four counts of assault with a weapon, two counts of assault causing bodily harm, and two counts of breaching a recognizance (Talmazan & Meiszner, 2014). Andre Richard, known to police, had a history of domestic violence; he also had two charges of assault in Langley from January 2009 and February 2014 (Crawford, 2014).

In December 2014, Richard pled guilty to aggravated assault and arson. A little more than a year after his brutal assaults on his family, on April 14, 2015, a judge issued a federal sentence of ten years against Richard, with the eighteen months he had spent incarcerated reduced from his sentence. The charges of attempted murder on his stepdaughter and wife of nine years were reduced to two charges of aggravated assault, and he received six years; he was sentenced to four years for breaking into the home. Richard's sentences, served concurrently, will amount to eight and a half years. Sonia

Cella, left emotionally and physically scarred for life, is unable to work due to the physical injuries she sustained in her husband's horrendous assault. However, Cella still has responsibility for the mortgage on her home that no longer exists, and for which the insurance company has not reimbursed her (Tamminga, 2015).

Sonia Cella's story is just one example of how tragic domestic violence against women is, as sadly, scores of people were impacted by these incidents of male violence. Each of these murdered women is not just a number or a statistic; they were mothers, daughters, sisters, granddaughters, nieces, friends, co-workers, and so much more. Please note that not all men are abusive and this paper does not mean to imply they are. Many men do not choose to abuse their intimate partners.

Violence against women in relationships is defined in the *Violence Against Women in Relationships Policy* (2010) as sexual or physical assault, or threat of sexual or physical assault towards a former or current intimate partner, married or living together in the past or present at the time of the threat or assault. Abusive actions directed at women by their partner that constitute violence in relationships include threats, mischief, and criminal harassment which may or did bring the victim suffering, fear, trauma, and/or loss (Ministry of Public Safety & Solicitor General, Ministry of Attorney General, and Ministry of Children and Family Development, 2010). Abusive behaviours also recognized are deprivation, financial exploitation, neglect, and intimidation (British Columbia Criminal Justice Branch Ministry of Justice, 2013). For the purposes of this project, the terms violence against women in relationships (VAWIR), male violence against women in relationships (Walker, 1990), or domestic violence against women (Rossiter, 2011) are used. Many terms are employed to reflect violence in relationships, which include female

and male victims, such as intimate partner violence, spousal violence, and family violence, but they disguise the gender-base of the crime, and may actually hide the issue rather than uncovering it (Coates & Ridley, 2009; Coates & Wade, 2004; Rossitter, 2011). The glossary provided offers an extensive list of definitions and key terminology related to the violence women experience in their intimate relationships (see page vii).

Although not all men are abusive within their intimate relationships, research has shown the disproportionate and widespread problem of male violence against women in relationships notwithstanding the laws and policies of British Columbia and Canada, which emphasize violence against women in relationships as an offence. Regardless of rates in Canada declining during the past decade and considered stable in 2009, women were less likely to report violence to the police than in previous years (Statistics Canada, 2009). With the rates of male violence against women in relationships being as they are, and the lack of research pertaining to women of northern British Columbia and their lived experiences of the criminal justice system due to their experiences of VAWIR, this research is very significant.

The purpose of the research is to inquire into the lived experiences of women and their contact with the criminal justice system because of experiencing male violence in their intimate relationship. This research may also potentially add to the literature concerning northern BC women. Research findings may potentially benefit women's knowledge of their personal rights, but more importantly, it may assist in increasing women's safety, dignity, and equality as promised by the Canadian Charter of Rights and Freedoms. The findings of this research may also assist feminist and women-serving organizations in their efforts to lobby and affect change.

Location of Self in the Research

I am a white woman, wife, mother, grandmother, sister, daughter, aunt, feminist, social worker, artist, student, and so much more. Professionally, I am a specialized community based victim services worker supporting people who have been victims of crime, most especially with women experiencing violence in their relationships. The numbers of women who have/are experiencing violence in their intimate relationships overwhelms me. I have heard women express fear and frustration about criminal justice system practices. They question the ability of these ‘systems’ to protect them, or to enforce their personal, emotional, physical, and financial safety - or their rights as promised under the Canadian Charter of Rights and Freedoms.

Empowering and supporting women who have been/are victims of domestic violence as they navigate their way through the myriad patriarchal, confusing ‘sea of systems,’ I see and hear how the “personal is political” and how it plays out in women’s lives. By this, I mean that women who are victims of domestic violence often internalize feelings of blame, guilt and shame for their situation and thus, experience internal oppression without having knowledge of the structural or political reasons behind their personal difficulties (Mullaly, 2007). I bear witness to the structural violence and patriarchy within the oppression of systems affecting women’s lives. Society’s imbalanced power relationships between women and men are at the base of violence against women. Further, the disparities found within the macro levels of structural or organizational relationships of religion, governments, laws, and discriminatory cultural norms aimed at girls or women, along with mainstream media not only perpetuates, but maintains behaviours and beliefs of male privilege. This results in structural violence, and

violence against women and girls (Battered Women's Support Services, 2013, Hunnicutt, 2009; Mullaly, 2007).

Hunnicutt (2009) articulated that women are dominated or controlled, ideologically and structurally, by men as a group through "hierarchal arrangements that manifest in varieties across history and social space" (p. 557) because of patriarchy. These "gender hierarchies are the central organizing feature of patriarchal systems, age, race, class, sexuality, religion, historical location, and nationality mediate gender statuses, assigning males and females varying amounts of social value, privilege, and power" (p. 558). A contemporary example of this would be the #Yesallwomen hashtag campaign that began in response to the murderous rampage of Elliot Rodger, who posted a YouTube video where he railed at women and the popular students who had rejected and ignored him. Rodger asserted that his rejection, loneliness, and unfilled desires since puberty were due to the lack of female attention and that he would get his revenge against humanity and particularly against attractive women (Yan, Brumfield, & Carter, 2014).

The next day, May 23, 2014, Elliot Rodger stabbed three men to death in his home, killed two women outside a sorority house, and then shot a man in Isla Vista, California before killing himself. Six victims died and more than ten people were injured. He had written a 137 page autobiography in which he wrote of his difficulties in life (Grinberg, 2014). Women all over the world began to post on Twitter under the hashtag #Yesallwomen where females shared their experiences of male entitlement as experienced by women through harassment, violence, and rape.

Everyone has a story, including myself, and in sharing some of my personal and professional history, I honour the women who have had the strength and courage to share theirs with me. Further, feminist research requires researchers to share their experiences. I am all too painfully aware of the often slow, insidious nature of domestic abuse against women through my relationship of fifteen years with my childhood sweetheart. We were both unhealthy. I knew little about self-worth, communication skills, or being assertive, and setting healthy boundaries – these skills did not exist in my family, or in my marriage. At the age of twenty-nine, I began a journey of self-discovery. I have always had a love of books: growing up in a dysfunctional, abusive, blended family, books were not only for learning; they were a refuge- a place to escape and turn off the world to join the one that I was reading. Books were my protector. Therefore, I began reading anything I could get my hands on that would perhaps provide me with some knowledge as to my experiences of the abuses I had experienced throughout my life. More than anything, I wanted a different future for my children. I was fearful – of losing my children, of disrupting their lives and potentially putting them at risk of an abusive stepparent, of not being able to support them financially. As I learned years later through my work, my fears were normal. They were the fears of the majority of women contemplating leaving an unhealthy relationship. Learning about abuse in all its ugly forms assisted me in gaining some understanding of my life experiences, and the courage to empower myself by ending my marriage at the age of thirty.

Months after separating from my husband, I was out with my young son and a male friend. We arrived back home to find my front door lock damaged and I could not get my key into the lock. My husband, having learned I was out with a man, broke into my home,

and in a fit of rage had gone on a rampage, leaving utter chaos and devastation in his wake. There are not enough words to describe the carnage of his actions or my emotions. Shocked just seems inadequate.

When I called the police to report the break in of my home by my separated husband and the subsequent damage within, the police officer informed me that there was nothing the police could do because his name was on the mortgage, stating: “Well ma’am, there is no law that says a man can’t wreck his own property.” I replied that it was not just my husband’s property, but my own. He asked if my husband’s name was on the mortgage papers. I stated that both our names were on the mortgage papers, and the police officer informed me that as my husband’s name was on the mortgage our home, and everything within it, was civil property and was a matter for civil court, not criminal court. The next day my husband cleaned the place out, throwing all of my belongings in the country dump, while he sold or gave away everything else and the home foreclosed and sold.

I was not provided referrals to community services or programs such as women’s transition houses or legal services, which could have assisted my children and me, and no concern was shown for the safety of myself and/or my children. A family member informed me of the Elizabeth Fry Society Victim Services program through which I received valuable emotional support and referrals to local transition houses, Legal Aid, and Income Assistance.

Having not seen the children for a week, my husband requested he have them for a long weekend. My legal aid lawyer recommended that I allow this access provided my

husband would sign a letter agreeing to the time and date three days later when the children were to return to my care. My lawyer informed me that if I did not allow this access I would likely be perceived by a family judge to be “non- cooperative,” as judges tend to grant custody to the parent he/she feels would best promote and encourage the children’s relationship with the other parent. My husband signed this letter and three days later refused to return the children. When I called the police, an officer told me they could not assist me as neither I, nor my husband, had child custody papers from provincial family court, thus no crime was committed. Due to legal advice and my not knowing my rights, my husband was granted temporary custody for three months (which turned into six because it was too close to the end of the school year as stated by the judge), as this would “allow me time to get a home and belongings.”

With no financial means, I had to go on Income Assistance, as well as Legal Aid in order to have legal representation to obtain sole custody and guardianship of my children, child support, and spousal maintenance. My ex-husband quit his job, delayed court processes by not complying repeatedly with court orders to submit a financial statement and copies of past income tax statements, filed for bankruptcy and refused to pay any support monies. I received just under \$970 a month from Income Assistance to support my two children and myself. In order to receive financial assistance, I first had to sign my rights over to welfare so they could obtain child support on my behalf. Nothing ever came of this, and it took almost three years before the *Family Maintenance Enforcement Program* (FMEP) began garnishing my husband’s federal monies (Unemployment Insurance Benefits, Income tax returns, etc.), and finally his wages as he continued to ignore the court order. During all this time, the court expected my ex-husband to have

“reasonable and liberal access” to our children along with every second weekend, as this was in the children’s best interest.

My beliefs in humanity, feminism and equality, in addition to my personal and professional experiences of violence against women in relationships create the driving force behind wanting to do this vital research. The introduction provided in this document presented the problem and its significance. This chapter provided readers direction to the glossary containing definitions and key terminology current to this research. Presented also are the purpose of the study and the research question. Also shared is the researcher’s location in terms of this research. Literature in the relevant areas of violence against women in relationships, including the pertinent British Columbia laws, policies, and practices provides the reader further understanding.

Research Question

Unfortunately, there is a lack of research with respect to how northern women in BC think and feel about their experience with the criminal justice system due to being a victim of their male partner’s violence. The purpose of this study is to build on our current understanding of how BC laws, policies and practices related to violence against women in relationships are actually affecting women. This research question is, “How do women experience the criminal justice system in response to experiencing male violence in their intimate relationships?”

Chapter Two: Literature Review

This literature review will provide some understanding of the history, concepts and issues related to violence against women in relationships. Provided also is information in regards to what domestic violence is, and to the laws, policies and practices related to and guiding the criminal justice system in response to violence against women in relationships.

Understanding Violence Against Women in Relationships (VAWIR)

The issue of violence against women in relationships should not be surprising when one considers the normalization and violent treatment of girls (Taefi, 2009). Girls are socialized from birth to accept defeats, suppressions and subjugation, while boys develop feelings of importance and power through practices of socialization as expressed by Ras-Work (2006), who stated, “this established patriarchal system has long endured the passage of time cutting across geographical boundaries as well as religious and class differences” (p. 2).

While research has determined the cause and effect of bias against girls and violence towards women globally, girls as a class are progressively put to the side as the standard for policies and government language has become gender neutral, and patriarchy is maintained and enforced. However, the problem of violence against girls and their oppression to the benefit of males is ignored (Goonesekere, 2006). Patriarchy, reflected through the prejudice and discrimination against girls within their homes and families, communities, and government, and by the many customary practices, gives males privilege and preferential treatment while forcing girls onto the lowest rung of societal hierarchy. Some examples are, the murders of female infants; female genital mutilation (FMG)

practices; girls not having access to education or choice in educational directions; child prostitution and trafficking; early marriage of girls; sons being given nutritious foods to supplement their strength and growth; males gaining lands and property through inheritance, and later occupying the role of master of the house. Girls meanwhile fulfill roles of unpaid labour of house and yard, and caretaking of others (Goonesekere, 2006, p. 11). Such oppressive practices and beliefs contribute to men's dominance resulting in the sexual, emotional, and physical violence inflicted upon girls, and the violence women experience within their intimate relationships, which sometimes results in women's death (Goonesekere, 2006).

According to Greenard-Smith (2002), feminists acknowledge, and raise awareness of, impacts women endure due to structural oppression and patriarchy and advocate against the unfair and unequal treatment of women as these are at the root of the problem of male violence against female partners. Using abuse and violence against female partners assists men to obtain power and control over their partner. Men experience little or no punishment or consequence for their abuse and violent acts, and instead feel more superior and powerful. Canadian Resource Centre for Victims of Crime (CRCVC, 2011) reports domestic violence against women consists of varied facets of emotional, psychological, physical, sexual, economic, and/or spiritual abuse. Explanations about some forms of abuse women may experience in intimate relationships are on the power and control wheel provided below in Illustration #1. Facilitated in different forms, often the intent of the abusive behaviours and actions of VAWIR is for one purpose: to force a partner to be dependent upon the abuser for all of her needs. Abusive behaviours include isolating a partner from her support system (as these persons who love and care about her well-being

may have some influence to intervene in the abuser's control over her), manipulation, demanding behaviours and threatening to harm her, or others she cares about (Canadian Resource Centre for Victims of Crime, 2011; Cory & McAndless-Davis, 2008).

Abuse often becomes more frequent and severe over time ranging from sexual assault, to physical assault such as punching, tripping, biting, pinching, and assault of the environment such as throwing things, property damage, and breaking her possessions. Over time injuries sustained become more severe through broken bones, being choked, and weapons being used against her, all of which causes serious risk to a woman's life as acknowledged by the Canadian Resource Centre for Victims of Crime (2011, p. 2). Various abusive strategies often cause women victims of DV to be financially and psychologically dependent upon their abusers (Canadian Resource Centre for Victims of Crime, 2011). In the worst of cases, it may result in a woman's murder. All of these behaviours show no respect for the personal autonomy of a person's intimate partner, or their human and legal rights.

Illustration #1: Power and Control Wheel

**DOMESTIC ABUSE INTERVENTION PROJECT**

202 East Superior Street
Duluth, Minnesota 55802
218-722-2781
www.duluth-model.org

The power and control wheel (The Duluth Model, 1984) is a tool that explains some of the different tactics that abusive persons may use against his partner. An abuser will do what it takes to obtain control over his partner. Cory and McAndless-Davis (2008) have also created a power and control wheel in which they include additional categories of isolation and social abuse, pets and property abuse, psychological abuse, and verbal abuse.

Domestic violence is a process, and not usually just one incident. The power and control wheel portrays varied forms of abuse a person may use to obtain feelings of control and power over another, often a female partner. More often than not, the abuse and violence become cyclical. The *Cycle of Violence* or the *Theory of Battering* created by Lenore Walker (1979) incorporates three phases: tension building, explosion, and honeymoon. Tension will increase and when the abuser's frustration or anger peaks, he will abuse others resulting in his feelings of empowerment, superiority, and control. During this period of time women sometimes will do something to precipitate the explosion so that they can move into the honeymoon phase where their partners may become apologetic, and loving, and may make promises to change or seek help. The whole cycle may take a few hours, a day, a week, months, or years to complete (Canadian Resource Centre for Victims of Crime, 2011; Legal Services Society, 2013).

A fable applicable to violence against women in relationships is about the frog and the boiling water. Placed in a pan of boiling water a frog will immediately jump out of the pan. However, when the frog is in cold water and heated slowly the frog will die. A woman experiencing violence in her intimate relationship may excuse away, and/or internalize the abusive behaviours she is experiencing, or be too fearful of what would

happen if she was to leave the relationship or report the abuse - until she feels she has no other option other than to “jump or die” (Patton, 2012, p.1).

The biggest risk to women comes when they attempt to end their violent relationship. Abusive men often try to enforce their perceived loss of power and control to keep their partners in the relationship. A pending or actual separation from an abusive relationship is considered a major risk factor for women’s safety (Ministry of Attorney General, Ministry of Children and Family Development, and Public Safety and Solicitor General, 2010), and in regards to explaining femicides, it is the most common risk factor (Campbell, 2005). Yet society victim blames women for staying in abusive relationships or worse, blames them for the abuse. People may also not recognize, or ignore the fact that a women may be managing risk. CRCVC declares some of the reasons women find it difficult to end their abusive relationships are feelings of fear, guilt, the love for their partner, or fear of losing their children through custody. Fear of court system processes, lack of housing, lack of economic resources, religious and cultural values, or safety concerns regarding themselves, their children, or other family and friends (2011, p. 6) are other factors women consider when attempting to leave the relationship.

History and Language

Girls’ and women’s history includes a time when girls were legally property of their fathers and later, husbands. Violence against women was also allowable under law. As such, it was legal for men to beat their wives with a stick no thicker than his thumb (Canadian Resource Centre for Victims of Crime, 2011) and called the ‘rule of thumb’ law. Additionally, there were also no laws in Canada against men’s raping their wives until

thirty-three years ago in 1983 (Koshan, 2010). Feminists have fought for decades to have government and society acknowledge and take action in regards to the gendered nature of violence women experience in their relationships. The “personal is political” revolution of feminist activism in North America created many achievements such as day cares, pay equity, sex assault centers, and transition houses for women and children experiencing domestic violence, and is further evidenced by the last United States presidential election in which a Black man or White woman could have become president (Faulkner & MacDonald, 2009). However, there has been a backlash to the feminist movement. In 2006, systematic cutbacks to feminist organizations by the Conservative government began with the cut of funding to the Status of Women Canada secretariat and the Court Challenges program, which funded citizens and groups who fought laws they believed violated the Charter of Rights and Freedoms (Faulkner & MacDonald, 2009). Furthermore, Mallick reported that women’s groups who advocated, researched, or lobbied had all of their funding eliminated (as cited in Faulkner & MacDonald, 2009, p. 9).

Researchers believed these policies needed to be challenged. The focus from gender, class, and race shifted into issues about identity, cultural, and legal resistance politics. Faulkner and MacDonald (2009) observed that this resistance in response to the reaction of the labelling, circumstances, and experiences of the female victim. Woman-as-victim is in line with the conservative, right-wing agendas that “would keep women politically passive, smiling stewards of male futures, still adhering to “’men’s way’ in the boardroom and the bedroom” (p. 10). This means men are in positions of power over women and their rights, while expecting women to fulfill their sexual wants. In this manner, law often depicts women as victims, usually sexualized victims. In terms of the

sexual aspects of women's lives, the law deals with sexual assault, pregnancy, and motherhood (Faulkner & MacDonald, 2009). This focus on women's sexuality takes any attention away from other victimizations women experience such as violence in their intimate relationships, poverty, and homelessness.

In the late 60s and early 70s feminists were mobilizing around the issue of oppression in the home and women were struggling to find a term to define their experience of male violence against women in relationships, a term to rally action and change. Women found they had to adopt the "oppressor's language" (Smith, D. E., 1979, as cited in Walker, 1990, p. 65), the language of government, which has the control to define the meaning and content of the term, in order to have government pay attention and take action. As an example, the first term used was "wife-battering."

Professional, intellectual and administrative work are built into an expansive network according to Walker (1990), "through which certain activities are selected and named as categories, intended to identify particular problems and particular solutions" (p. 65). These categories then operate as ruling concepts and the social construction of knowledge becomes organized in "ways of thinking about, defining and giving abstract and generalized meaning to our particular experience" (p. 65). Social problems are absorbed into other classifications by government, exemplified by the classification of the battered wife, which then was absorbed into the category of child abuse, and then hidden within the problem of troubled families. Walker declared that terms such as family violence allow the problem of VAWIR to be perceived as a private family matter, and at the same time hides the gendered nature of domestic abuse – that the overwhelming majority of DV victims are women, and men are the abusers.

Feminists built upon the theory of women's oppression and began to theorize the concept of male domination. This perception viewed the problem of wife beating as violence, which law has defined as assault, therefore making wife beating a crime. The criminal justice system could then support the women's movement. Feminists were then able to work on having the concept of violence expanded over time to include threats, sexual coercion, and economic abuse, etcetera (Walker, 1990). Government and law then interpret and present violence against women in relationships through the oppressors' language; using the concept/category of victim then absorbs the wife and partner involved in the incident of assault. Unfortunately, Canadian federal and provincial governments continue to utilize language of the oppressor with terminology such as spousal violence, or spousal assault, family violence, and intimate partner violence (Walker, 1990). Such terminology continues to uphold and enforce patriarchy and the subjugation of women as only men's interests are supported and protected, while women's rights continue to be jeopardized and at risk.

Prevalence of Domestic Violence

Police reported, in 2013, 90,300 intimate partner violence incidents including spousal and dating violence (Statistics Canada, 2015, p. 4). Victims were predominantly women. Incidents of spousal violence by a current partner as reported by police revealed that nearly eight out of ten victims of spousal violence by a current partner were female as reported by police. Females also made up 79% of people who had been victimized by a former spouse. (Statistics Canada, 2015, p. 4). Family violence (FV) created 87,820 victims. Intimate partner violence incidents made up the nearly half of FV cases accounting for 48% of the 87,820 reported cases. 68% of family violence victims were

females. A decrease in family violence cases reported by police is also noted (Stats Can, 2015, p. 12). Rates of family violence, noted by Statistics Canada (2015), have decreased according to trend data of police reported incidents; there has been a 17 % decrease of spousal victimization incidents, and an 11% decline in police-reported cases of intimate partner violence involving level one common assault, from 2009-2013. In 2011, police reported that eight out of ten domestic violence victims were females aged fifteen and older. In 2011, and in total 78,000 females were victims of relationship violence. In 83% of these cases the offender was male (Sinha, 2013, p. 20).

Some groups of women are at greater risk of violence than others as noted by Statistics Canada (2011), who reported increased vulnerability to experience domestic violence among Aboriginal women, immigrant women, and young women under 25. Statistics Canada (2011) noted that Aboriginal women are 3 times more likely to be victims of domestic violence. Johnson (2006) observed that Aboriginal women reported higher rates of domestic violence in 2004. Aboriginal women are more likely to report severe, and potentially life-threatening forms of violence, including being beaten or choked, having had a gun, or knife used against them, or being sexually assaulted, compared to non-Aboriginal women; 54% of Aboriginal women who experience male violence against women in relationships as compared to 37% of non-Aboriginal women. Additionally, consequences of domestic violence were more severe where Aboriginal women were more likely to have suffered physical injury, received medical attention, taken time off daily activities as a consequence of the assaults, experienced ten or more separate episodes of violence from the same perpetrator, and their lives were in danger (Johnson, 2006).

Tragic and needlessly, intimate partner violence may result in death. In recent years the rates of homicide committed by an intimate partner have stayed stable with female victims representing 4.5 times more often than males, with rates reported at 3.74 per million population (Stats Can, 2015, p. 4). In 2014, according to the Ending Violence Association of BC (EVABC), twenty-nine deaths occurred due to domestic violence including parent-child homicides, other domestic relationship killings, and deaths of perpetrators who killed themselves (EVABC, 2014).

The BCCS reported in 2012 that in BC from 2003 to 2011 there were one hundred and forty-seven deaths due to domestic violence; one hundred and six females were murdered, accounting for 72% of the victims. 83.7 % of assailants were male, and in cases with the death of more than one, men were responsible one hundred percent of the time (Ministry of Children and Family, 2014, p. 5). In Canada, there is one domestic violence homicide for every five homicides. Numbers of persons killed because of domestic violence stabilized in 2013 (Stats Can, 2015, p. 4). Interestingly, Stats Can (2015) reported the same number of intimate partner homicides with 87 cases reported in 2011, 2010, and in 2009.

Statistics Canada reported domestic violence rates are now stable, despite falling in the past ten years. Women's current increased financial freedom and social equality make it more plausible to end abusive relationships at earlier stages, and partially contributed to the decline (2011). Other factors contributing to the decline in domestic violence rates are the achievements of improved public awareness, more treatment programs for violent men, improved training for police and crown counsel attorneys, and mandating police to rather than victims of domestic violence lay charges, along with community co-ordination of

services, as reported by Johnson (2006). Decrease in reported numbers may not reveal a decline in DV rates since Statistics Canada (2011) reported victims are now less likely to report incidents of relationship violence to police. More women are also experiencing violence after leaving a violent relationship.

Violence against women in relationships came to the national forefront on September 4, 2007 in Oak Bay, BC when Sunny Park's husband, Peter Lee, stabbed her to death (Turpel-Lafond, 2009). Afterwards, Lee killed his wife's parents, then stabbed their son, Christian Lee, in the chest twenty-two times, killing him, before killing himself. This atrocity occurred while Lee was under a court order to stay away from the family home. Five weeks previously, with Sunny Park in the vehicle, Peter Lee crashed their vehicle into a utility pole. Park reported to police she believed her husband did this intentionally. The court then issued an order which restrained Lee from having contact with Park, from going to the family home, or from going to the family's restaurant; and due to his past military experience, he was prohibited from possessing weapons such as knives, or explosive substances, although allowed access to his son (Turpel-Lafond, 2009).

A year later, another high profile case hit the news concerning Allen Schoenborn, who murdered his three children in Merritt, BC, on April 6, 2008. Ministry of Children and Family Development had agreed for Schoenborn to have access to the children (aged 10, 8 and 5) in his estranged wife's (Darcie Clarke) home, while she was to be absent per the agreement (Bailey, 2009). After the killings, he escaped police and hid in the surrounding mountains while a manhunt ensued. Separated from his wife, Schoenborn had a long history of untreated mental health, addictions and violent behaviour (Turpel-Lafond, 2012). Schoenborn revealed during his trial that he knew he was committing a crime when

he killed his children and that he was clear-minded at that time. Crown asserted Schoenborn began murdering the children after Darcie told him in a phone conversation she would not reconcile with him. He told the court if Darcie had come home he probably would not have killed the children (Bailey, 2012). The court declared Allen Schoenborn guilty of first-degree murder in each of his children's deaths, but not criminally responsible due to his mental health (Turpel-Lafond, 2012). Both of these horrific cases speak to the lack of an effective response to domestic violence.

Political Power and Oppression

Bishop (1994) spoke to the issue of political power, whereby members of a certain group are put into positions through which they are able to make decisions affecting the general population. In North America, these groups are primarily straight and upper middle class males making decisions that affect vast numbers of people. Bishop asserted that "political power tends to concentrate in fewer and fewer hands, because those who make the decisions favour their own group, giving themselves increasing power" (p. 36). Economic power works the same way as political power whereby one group has access to more economic resources than other groups. The favoured/dominant groups, according to Bishop, are then able to utilize their resources to increase their wealth and their economic power.

Farmer (2003) warned that the government's role is vital when analyzing intersections of gender, class, and ethnicity. Structural violence is a concept addressing relationships between economic rights, social rights, and well-being, which describes how power inequalities between government and people distress impoverished and

marginalized people in different ways, and how decisions made by others constrain their survival strategies. Fiske (2006) articulated that structural or institutional oppressions receive legal and social approval; displayed through how social institutions, public policies, laws, and economic and political systems work together. While this obviously has benefits for dominant groups, primarily males, it comes at great cost to the female subordinate group.

Covert oppression at the structural level is powerful in maintaining group-based hierarchies through the denial of the spirit and intention of civil and human rights legislation, as well as the principles of liberty and equality (developed to prohibit institutional discrimination in the first place; Mullaly, 2002). Sidanius and Pratto (1999) observed, “the law does not function in a value-free and neutral manner, but rather acts as a mechanism to protect the rights and privileges of the dominant groups and to enforce the oppression of subordinate groups” (as cited in Mullaly, 2002, p. 118). Three of the subordinate groups in Canada who experience structural oppression and violence are women, First Nations people, and the elderly (Mullaly, 2002).

Exemplifying and facilitating the oppression and inequality women experience in Canada is the lack of representation of women in government. In 2013 a minimum of thirty percent of women were required in government in order to represent and give voice to the concerns of women as directed by the United Nations. However, in Canada there was only an average of 24% of women. Federation of Canadian Municipalities (2013) reported that 5,826 women were elected officials (sixteen percent mayors, and twenty-six councillors) out of a total of 24, 113 officials. In order for there to be a thirty percent female representation, as of September 2013, approximately one hundred women would

need to be elected each year for the next fourteen years (p.1). The new liberal Prime Minister Justin Trudeau has taken a small step to right this through his appointment of fifteen female cabinet members (CBC, 2015).

The preceding section was to assist the reader in their knowledge of this complex problem and provided information regarding violence against women in relationships and its dynamics, including the power and control wheel, and the history of VAWIR. Also presented is information about the seriousness and prevalence of domestic abuse against women. Last, knowledge was shared related to political power and oppression. The next section will build upon the reader's understanding of domestic violence against women through the provision of information regarding laws, policies, and practices relevant to VAWIR.

Violence Against Women in Relationships Policy

The *Violence Against Women in Relationships Policy* (VAWIR) instituted in 1993, is included in this literature review, as this has been the guiding policy recognizing and enforcing the criminalization of the violence women experience in their intimate relationships. This policy is a supplement to the 1986 Ministry of Attorney General *Wife Assault* policy. Last updated in 2010, the *VAWIR* Policy incorporated collaboration with the Ministry of Public Safety and Solicitor General, Ministry of Attorney General, and the Ministry of Children and Family Development. The *VAWIR Policy* is also a component of British Columbia's Domestic Violence Action Plan. Highlighted in the policy are the responsibilities, roles, and protocols for the criminal justice system and Ministry of Child

and Family Development professionals (Ministry of Children and Family Development, 2014).

The purpose of the *VAWIR Policy* is to “ensure an effective, integrated, and co-ordinated justice and child welfare response to domestic violence” (Ministry of Attorney General, Ministry of Children and Family Development, and Ministry of Public Safety and Solicitor General, 2010, p. 2). “The title of this policy is meant to acknowledge the power dynamics involved in these cases. It recognizes that most of these offences are committed by men against women and that women are at a greater risk of more severe violence” (Ministry of Attorney General, Ministry of Children and Family Development, and Ministry of Public Safety and Solicitor General, 2010, p. 2). The *VAWIR Policy* encompasses all intimate relationships including violence against men in heterosexual relationships, and same-sex relationships.

The *VAWIR Policy* acknowledges the role and responsibility of governments, courts and criminal justice system process to ensure legal, and human rights of women be upheld. Prior to this policy, it was a victim’s responsibility to ensure the arrest and charge of their partner, and that the charges were brought into the criminal justice system process. The VAWIR policy brought mandatory arrest and no-dropping of charges into place. Mandatory arrest requires a police officer who responds to a domestic violence call to arrest the offender if “probable cause to believe that an assault has occurred regardless of whether the victim wants the individual arrested” (Barata, 2007, p. 202). The no-dropping of charges means that victims of partner violence cannot have charge/s against their offender dropped after a charge is laid by Crown Counsel (Barata, 2007). The *VAWIR Policy* also required victim services, MCFD, police, and adult corrections (probation) to

provide safety planning and risk assessments for victims, as well as supervision of offenders.

Risk assessments can be used to assist those in the criminal justice system to make decisions and/or conditions about an offender before trial, according to Kropp (2004). Borum (1996) articulated concerns about deficiency of professional standards with respect to marginal requirements for individuals guiding the risk assessment, assessor training, and lack of “best practices” in relation to how risk assessments are applied, monitored, or evaluated (as cited in Kropp, 2004, p. 687). Kropp acknowledged “professionals are told what to do, but not how to do it” (p. 687).

Law, Policies, and Practices

Women’s rights are ignored, overlooked, or given token attention, and lack action, a further continuation of girls’ inequality and marginalization, along with denial of their rights (Taefi, 2009). Child brides, female sexual mutilation, and child sexual abuse are the result of patriarchy, and reflect the lack of acknowledgment girls receive within policy development (Goonesekere, 2006; Taefi, 2009). As a category, girls are often ignored within policy and law. They are lost in the category as ‘women and children’ or as children or youth, which is gender-neutral language. Regarding policies and law, Taefi (2009) articulated “the experience of adulthood defines what it means to be a woman: the experience of being male defines what it is to be a child” (p. 348).

Baer (2010) stated, “law was written, adopted, promulgated, enforced, and interpreted by men who drew on their own lives and world view to construct rules and doctrines” (p. 57). Fletcher (1988) found that when a judge or the court declares someone

charged with a crime not guilty due to self-defence, it is because a judge or court believes the victim/defendant's claim of having been in imminent life-threatening danger at the time the crime occurred. Fletcher explained this self-defence rule "fits the experience of a man accosted on a subway, but rarely the experience of a woman in an abusive relationship" (as cited in Baer, 2010, p. 58). Mackinnon (2006) posited that the dominant discourse is fashioned by men's experiences of the world as "the status and treatment of men still tacitly but authoritatively define the human universal, eliding the particularity of being a man" (as cited in Taefi, 2009, p. 348).

Feminists uphold the point that the federal and provincial government have a responsibility towards women and, according to Lakeman (2005), should promote and assist women's lawful rights to independence, freedom, financial well-being, and equality (p. 2). Instead, women's safety, security, and equality are continually threatened through government cutbacks (Morrow, Hankivsky, & Varcoe, 2004; Tang & Peters, 2006), exemplified by the actions of the Liberal government. Upon the Liberals coming into power in BC in 2001, women's centres and social programs started receiving substantial funding cuts. These cutbacks, accompanied by the changes made to some social policies (e.g. the 2002 eradication of the Women's Health Bureau, Ministry of Women's Equality, legislation of the minimum wage, changes to the BC Employment and Assistance Act, and legal aid), created stumbling blocks for responses to violence against women (Morrow, Hankivsky, & Varcoe, 2004).

Reductions continued with the closure of the independent Human Rights Commission, decreases to support programs for victims of intimate partner violence, and courthouse closures (Tang & Peters, 2006). Midgley (1997) declared that "the dominant

economic philosophy is heavily influenced by neoliberalism and it is antagonistic to state intervention and the notion of social rights” (as cited in Tang & Peters, 2006).

Intervention, lowering risk, and reduction of VAWIR have been the focus of BC provincial government action, but the government still fails to recognize or acknowledge male violence against women as the social problem that it is. Instead, Rossiter (2011) asserts it has become a personal problem. Women’s safety has become their own problem to deal with even though the issue is structural and maintained through gendered and classed heteronormative notions and policies.

Conducting a social/structural analysis to identify the problems within government policy and legislation “that undermine women’s safety and sustain domestic violence against women” is vital in the prevention of VAWIR (Rossiter, p. 19). Lakeman (2000) asserted that people do not understand acts of male violence against women as being part of the patriarchy and societal hierarchy that diminishes the rights of women, and not just random isolated acts of a mentally unfit man. Danis (2003) stated that instead of the problem’s lying within the “pathologies of individual men”, the problem of male violence against women is “considered a problem rooted in the structure of society” (p. 239). Lakeman posited, “Most politicians do not necessarily see it as a problem that men are endowed with extra status and power that they can use to get away with assaulting and intimidating women, or that they use their status in their family and their professional status to do so” (2005, p. 14). Lakeman suggested that legal system’s responses to cases of male violence against women reflect evidence of patriarchy and how it is preserved.

The Canadian Charter of Rights and Freedoms

The *Canadian Charter of Rights and Freedoms* states everyone has the right to “life, liberty and security of the person and the right not to be deprived thereof except in accordance with the principles of fundamental justice” (Department of Justice Canada, 1982, p. 48). Section 15 declares that everyone is equal before the law, with rights to equal protection and benefit of the law. The Charter also notes that there should be no discrimination based on race, ethnicity, sex, religion, age, or physical or mental ability.

Historically women have been disadvantaged in regards to our collective rights. The *Canadian Charter of Rights and Freedoms* promises women the right to safety, to dignity, and to the equality that comes from a fundamental belief in the dignity of persons under Section 15. The government has responsibility by law to protect women’s interests in terms of economic, social, and political equality, as offered men, but women’s rights under the Charter are not protected according to Lakeman (2005).

Crown Counsel and the Criminal Code of Canada

Criminal law relates to the state versus the person, and the police and crown counsel are normally involved when a person is charged with committing a crime under the criminal code. Criminal action begins with *an Information*, which is a formal written complaint which strives to provide proof beyond a reasonable doubt. Fines, probation, and/or prison resolve criminal law cases (Justice Education Society, 2016). The Crown Counsel Act provides authority to the Crown counsel, through the Criminal Code of Canada (CCC), to make decisions regarding the charging and prosecution of individuals. The Crown also has the responsibility to decide without any biases whether there is great

probability of receiving a conviction in court, called the evidentiary test. Crown must also decide whether prosecution is needed in the best interest of the public (BC Criminal Justice Branch Ministry of Justice, 2013; Ministry of Attorney General, Ministry of Children and Family Development, and Ministry of Public Safety and Solicitor General, 2010).

There are no explicit violence against women, VAWIR, domestic violence, family violence, spousal assault, or intimate partner violence laws within Canada (Gillis et al., 2006; Rossiter, 2011). The federal Criminal Code of Canada contains specific offences, and laws related to domestic violence. In regards to domestic abuse cases, some of the charges applicable under the Criminal Code of Canada include assault; assault causing bodily harm; sexual assault; sexual assault causing bodily harm; and sexual assault with a weapon. Criminal harassment (or stalking); uttering threats; mischief; intimidation; forcible confinement; attempted murder; and murder are also found in the criminal code (Ministry of Public Safety and Solicitor General, Ministry of Attorney General, and Ministry of Children and Family Development, 2010). When someone has a recognizance order against him, such as a peace bond, crown can lay additional charges for violating or breaching the order if he does not follow the conditions set out in the recognizance order. Crown counsel, in BC, received 10,224 domestic violence complaints in 2008/09, which was fourteen percent of all complaints received (Ministry of Attorney General, Ministry of Children and Family Development, and the Ministry of Public Safety and Solicitor General, 2010). The *Violence Against Women in Relationships Policy* (VAWIR); the RCMP *Violence in Relationships Policy*; and *Crown Counsel's Spouse Assault Policy* are provincial policies meant to increase implementation of criminal code laws.

British Columbia's Domestic Violence Action Plan

According to Rossiter (2011), to acknowledge that women are more often victims of domestic violence, those who are responsible for developing BC's provincial policy use the term "domestic violence against women." With no federal laws specific to domestic violence against women, many provinces and territories, including British Columbia, enacted action plans or policies relevant to domestic violence (Rossiter, 2011).

Unfortunately, plans and policies appear to come into place after horrendous preventable crimes occur, as the incidents provide opportunity to examine laws, policies, and practices as a means of prevention (Rossiter, 2011), as evidenced by the horrible murders of Sunny Park, her son Christian Lee, and her parents (this case was noted earlier). The investigation, and the report of the Office of the Representative for Children and Youth's (RCY), *Honouring Christian Lee – No Private Matter* (Turpel-Lafond, 2009), provided the realization that the safety of women and their children are woven together. The investigation and the RCY report also highlighted actions that different government ministries need to take in attempts to prevent future tragedies.

The investigation identified the Ministry of Attorney General, Ministry of Children and Family Development, Ministry of Education, and the Ministry of Public Safety and Solicitor General as being responsible to take actions regarding reported needs and gaps identified through the inquest and investigation. As noted by Rossiter (2011), some of the reported actions required were domestic violence courts; revised Ministry of Children and Families policies and legislation; and support services for immigrant women who are victims of their male partner's abuse. Aimed at safety, prevention, and support, it was required that systems involved with families who are experiencing, or at risk of, VAWIR,

share information relevant to supporting safety and minimizing risk factors for victims and children, in addition to mutual support and coordination amongst those systems.

The BC government responded quickly by developing the *Domestic Violence Action Plan*. Suggested actions were directed at the criminal justice system, legislation and policy revision within the Ministry of Children and Family Development, the police, correctional services such as probation, the court systems, and the provision of financial resources regarding educational awareness of domestic violence to CJS professionals and those providing related services. However, Rossiter acknowledged, community groups and organizations argued this action plan was carried out far too quickly, from January 18, 2010 to December 6, 2010. Rossiter reported insufficient communication involving relevant community stakeholders such as women's organizations or Aboriginal groups, and the recommendations resulting from both the investigation and inquest were not sufficiently complied with (2011, p. 22).

A few years later, and in response to another preventable tragedy involving the murders of the Schoenborn children, and the investigation and report of RCY, *Honouring Kaitlynn, Max and Cordon: Make Their Voices Heard Now* (Turpel-Lafond, 2012), the Provincial Office of Domestic Violence was established. The PODV is also an extension of the Ministry of Children and Family Development (Ministry of Children and Family Development, 2014). The Provincial Domestic Violence Action Plan (PODV) came into effect April 1, 2014 and is to operate to 2017 (Ministry of Children and Family Development, 2014, p. 4). The purpose of the PODV is to improve and coordinate sharing of information and the responses of services amongst all systems to promote and build safety of victims, children, and offenders, as well as bringing into effect integrated

government collaboration amongst several ministries. These ministries are BC Housing, Ministry of Aboriginal Relations and Reconciliation, Ministry of Children and Family Development, Ministry of Education, Ministry of Health, Ministry of Jobs, Tourism and Skills Training and Responsible for Labour, Ministry of Justice, and Ministry of Social Development and Social Innovation (Ministry of Children and Family Development, 2014, p. 4). The PODV also included the delivery of services to remote and rural communities, disabled persons, Aboriginal children, youth and families, immigrant and refugee response, victims of violence in relationships, children and offenders (Ministry of Children and Family Development, 2014, p. 4).

Criminal Justice System

The criminal justice system is made up of numerous components and authorities including police, crown counsel, and corrections personnel who participate in enforcing the law and the numerous guidelines, mandates, and policies created by government in response to domestic violence. Many of these guidelines, mandates, and policies are reflected in the *VAWIR Policy*, such as mandatory arrest and no-drop policies. These policies put responsibility upon government to enforce women's safety (Gillis et al., 2006). In this regard, women's first interaction with the criminal justice system is often through their contact with the police, whom Russel and Light (2006) acknowledged as "the gate keepers" (p. 377). Through police having full knowledge and understanding of all the dynamics involved with VAWIR, as well as treating victims of domestic violence with support and respect, victims can be empowered to make choices about their situation and personal safety, making it essential that police are educated and that this education is routinely refreshed.

Gillis et al. (2006) found there is much literature revealing domestic violence against women cases to be poorly handled, supported by their Ontario study that found that only a small number of women who were DV victims had positive interactions with the police and criminal justice system personnel. Stephens and Sinden (2000) found four types of police attitudes when responding more than once to women who were victims of their partner's violence. These four types are minimization of the incident, usually seen as skepticism about the gravity of the incident; lack of belief of the victim's statement; projection of "we don't care"; and machoism and arrogance (p. 540). Criminal justice system (CJS) personnel ranging from police to, prosecutors, judges, and courts require training in all facets of VAWIR, as asserted by the Critical Components Project Team (Light, Ruebsaat, Turner, Novakowski, & Walsh, 2008).

Once an offender has been arrested and charged for domestic violence, their file becomes labelled within the CJS as a "K file", as mentioned earlier in this document. "K" files constitute a number of crimes: various charges of assault, sexual assault, and mischief and/or threats with reasonable cause to believe it did or could cause or did cause trauma, fear, suffering, or loss to the victim or to a person important to the victim, or property. Other crimes include violation of court orders and applications for section 810 (peace bonds) recognizances from the domestic violence victim (Ministry of Attorney General, and Ministry of Children and Family Development, Ministry of Public Safety and Solicitor General, 2010).

Women respondents of the 2009 General Social Survey identified a lack of confidence in the criminal justice system (Rossiter, 2011). Adding to these hurdles, Barata (2007) communicated that the opinions of victims of VAWIR regarding the criminal

justice system (CJS) are impacted by several issues, although “there is lack of understanding of how attitudes about different aspects of the system come together to form cohesive perspectives about the system as a whole” (p. 203). The social, political, and economic problems of women violated in relationships are not dealt with appropriately, as seen by the small number of women who go through the CJS process. Barata, believes that race, class, sexuality, and gender intersectionalities need to be incorporated and employed in response to VAWIR.

Feminist analysts have identified three intrinsic assumptions within law, and the legal system (Barata, 2007). The first assumption is that laws and the legal system are grounded in objectivity, with the focus being on facts, not values, as it is assumed that legal system judgements are unbiased and impersonal. In reality, though, law is not objective, but predisposed to the values of the people who wrote it, and to those people who practice law. A second assumption is a separation between criminal justice officials (judges, attorneys, and police) and the people they serve, in order to preserve objectivity; police and the criminal justice officials sort out the truth from the facts provided through an individual’s perspective. The third assumption, according to Barata, is about absolute truth - when both sides of the issue represent their ‘truth,’ and a judge, or jury evaluates who is telling the truth. Exemplifying this point is the recent trial of Jian Ghomeshi. A judge acquitted Ghomeshi on four charges of sexual assault and one charge of overcoming resistance by choking as he found the women who had accused Ghomeshi to lack credibility and reliability (Kingston, 2016). In terms of violence in intimate relationships, the victim receives no further protection if the offender is not guilty, and therefore it is assumed that the victim is not at risk of harm.

Male perpetrator responsibility becomes invisible in cases of violence against women in relationships in many ways. The media, therapy programs, and the judicial system disguise VAWIR through the utilization of various linguistic techniques. These techniques are nominalization (e.g., “wife battery”), passive voice (e.g., “she was hit by John”), and avoidance of agency (e.g., “she was raped”) (Bohner, 2001; Coates, Bavelas & Gibson, 1994; Henley, Miller & Beazley, 1995; Lamb, 1991; Lamb & Keon, 1995; Penelope, 1990; Trew, 1979, as cited in Coates & Ridley, 2009, p. 114). These techniques remove responsibility from the abusive man’s actions, presenting the events as non-deliberate, arguing he was “acted upon by an overwhelming force that is outside of his control” (Coates, 1997; Coates & Wade, 2004, 2007; Marolla & Scully, 1979; Morgan & O’Neill, 2001; O’Neill & Morgan, 2001; Sykes & Matza, 1957, as cited in Coates & Ridley, 2009, p. 114). This avoids naming the bias, and erases the male offender’s subjectivity in the framing of the narrative.

One way to erase male violence against intimate partners is by the technique of showing the woman/ victim as engaging of her own choice in actions with her offender. Coates & Ridley (2009) argue “mutualizing descriptions misrepresent the nature of the social interaction by concealing the nature of the act and the agency of the perpetrator and the victim” (p. 113). Such descriptions place the woman and her offender as co-participants, placing the act in the domain of non-violence, which conceals the woman’s actual actions of resistance: it does not represent the extent of violence against the woman and supports the assumption of the affected, passive victim (Coates & Ridley, 2009).

To relieve men’s accountability, whether male offenders’ actions be disguised or deliberate, non-violent reasons are made for the drive and purposes of their actions, such as

stress, emotion, varied circumstances of a psychological nature, or sexual drive (Coates & Ridley, 2009, p. 114). When behaviours of offenders of personalized violent actions are revealed and the situation is examined, numerous strategies are realized: before the violence (e.g., lies, isolation of the victim, or integrating behaviours); during the violence (e.g., threats, physical violence, and/or humiliation); and after the violence (e.g., denying, concealing, blaming, or minimizing). These tactics are to defeat victim resistance, and when taken into consideration, one cannot deny the violence was deliberate (Coates & Ridley, 2009, p. 114). Further, these strategies assist in blaming victims, and courts often issued lower sentences to offenders when these tactics were employed and male actions were deemed to not be violent (Coates & Ridley, 2009).

The criminal justice system is entrenched in patriarchal rules and normalizations that systemically secure men's domination and ignore women's experiences and realities while enforcing women's suppression and reliance upon men (Danis, 2004). In cases of male violence against women, the court often requires an offender to attend intervention programs such as respectful relationships and anger management, as a term of a probation order. There is a lack of research quantifying the success of these interventions (Danis, 2003). Murphy, Musser, and Maton (1998) found that when charges laid by the court were more harsh and compliance with court orders was enforced, there were lower rates of recidivism (as cited in Danis, 2003, p. 242).

Criminal Protection Orders

There are two forms of criminal protection orders in BC, peace bonds and no-contact orders. If a woman feels her safety or her children's safety is at risk from her

spouse she could apply through the police for a criminal order officially known as a Criminal Code Section 810 recognizance order, but commonly called a peace bond (Adams, 2009; Ministry of Justice, Victim Services and Crime Prevention Division and Legal Services Society, BC, 2013). If the RCMP believes the woman's concern is justified, the officer will make a report identifying the woman's safety concerns and the conditions sought, such as a no-contact order. Crown counsel receives this report. If the crown approves, an "Information" is created, and the officer will then swear in front of the court the reasons why they believe the court should issue an order. This process is referred to as "swearing the information." If the court provides an order, the person named in the order will be arrested or be given a summons to appear in court (Ministry of Justice, Victim Services & Crime Prevention Division, and Legal Services Society of BC, 2013, p. 16).

In British Columbia, under the Criminal Code of Canada, Section 810, a justice of the peace or judge can place a peace bond (called a recognizance) against a person when there is reason to believe they will either cause injury to another individual, or damage that individual's property. Someone does not need to have been arrested previously, or have committed a crime for a recognizance to be placed against him or her. The court expects that individuals will follow the conditions placed in the recognizance order, and these conditions last for up to one year. Conditions can range from not allowing contact with the victim or other person either in person, or by mail, email, texts, or phone calls; to not being allowed to go to the victim's or other person's home, school, workplace, or any other place they would reasonably be expected to be at. Other requirements may also include a ban on weapons and drugs and alcohol, or requirements such as attending counselling or anger

management. If an individual whom an order is placed against does not obey the listed conditions the individual could be arrested and charged with a criminal charge of breaching (Legal Services Society, 2014, Turpel-Lanfond, 2009).

When police arrest and charge an offender for acts of VAWIR, the court will place a no-contact order against the offender. An additional condition is not to have contact with the victim through indirect means by having another person attempt any form of communication with the victim/s or children. If either party contacts the other, the individual the order is placed against can be arrested and charged with another criminal offence. If a victim wants to have contact with her partner, she has to request a change to the no-contact order through Crown counsel (Legal Services Society, 2014; Ministry of Justice, and Victim Services and Crime Prevention Division, 2013).

Family Law Act of BC

Replacing the Family Relations Act (FRA), the Family Law Act (FLA) came into effect March 18, 2013. Children's safety and best interests are the major guiding concern of the court when families are going through separation and/or divorce. A child's best interests include who in the past provided care for the child; and the child's safety regarding effects of any violence in the family; and/or a child's well-being and safety in any relatable criminal or civil matter. If suitable, the opinions of the child may be considered; as may a child's religion, culture, language, Aboriginal identity, and heritage (Legal Services Society, 2014, Ministry of Justice, and Victim Services and Crime Prevention Division, 2013). Guardianship and access, parental responsibility of children, divisions of family assets, and matters of family violence fall to the FLA. The FLA now

defines family violence and, in cases where there is or has been violence, the court is required to acknowledge recognized risk factors that are to be factored into court rulings as a means to create both consistent and effective methods supporting safety. Additionally, violations (breaches) of orders of protection under the Family Law Act and Child, Family and Community Services Act are now a criminal offence (Legal Services Society, 2014, Ministry of Justice, and Victim Services and Crime Prevention Division, 2013).

For women who have experienced/or are experiencing their male partner's violence, the Family Law Act puts them at risk of further emotional and physical harm. Poor communication and problem solving skills, and power and control issues are the foundations of unhealthy and violent relationships but women are expected to communicate, negotiate, and resolve problems with their offender, the other parent who they have experienced abuse and/or violence from, through the Family Law Act. At the same time, the FLA enforces fathers' access to and participation with their children as this is viewed as an important facet of the child's best interests according to Varcoe and Irwin (2004), and may also promote the well-being and safety of a child. The abuse mothers endure does not factor into child centred custody because 'best interest of the child' takes priority. This is suggestive of when women and children were property of the man and compared to having similar rights as chattel.

Family Law Protection Order

Adams (2009) reported women living in BC do not often report incidents of their intimate partner's violence against them. Women who are experiencing violence in their relationships and do not report to police, may have to take legal action in civil court in

attempts to protect themselves and/or their children, such as seeking a protection order, or an order for child support or spousal support after they have left their relationship. Court forms online can be printed off, or be obtained at the courthouse through the Court Registry. Under the Family Relations Act (FRA) issued under section 183, a mother would need to complete an *Application to Obtain an Order* if seeking child custody; child guardianship; access to a child; protection orders; child support maintenance; and/or spousal support. An *Affidavit* form is a sworn statement of evidence. She also needs a *Reply*, which informs the respondent (the person the application is filed against), of impending court action. Respondents are to be served by someone other than the woman such as friends, family, sheriff, or by hiring a bailiff or process server. The respondent then has thirty days to submit a response to the court. The respondent and applicant will be given a date to appear before a Judge at a hearing date usually two to six weeks later, and may have to return numerous times to court (Adams, 2009), in order for a peace bond or restraining order to be approved or denied by the Judge. This process is similar under the FLA.

If a woman believes that her or her children's safety is in imminent risk from her spouse and cannot wait a month or more to receive a peace bond or restraining order, she could apply for an *Ex Parte Family* Application (an interim restraining order). If granted, her spouse (the respondent) is not served notice until after the *Ex Parte Order* is granted. Usually within two weeks, both partners will appear before a Judge who may replace the ex-parte order with a customary restraining order. When the Judge finds no cause exists for a restraining order, the existing order is withdrawn. However, this does not mean that a woman's fear for her safety is abated (Adams, 2009).

The Family Law Act resulted in changes in applying for an *Ex Parte*. A woman now has to inform court registry staff about her circumstances and that she has reason to believe that if her spouse was to know about this application, her safety and that of her children, and/or any other family members who live with her would be at risk. A woman would then need to write “Urgent order without notice” on the application form. This is called “an order without notice” or “ex parte order”. If someone has an important matter that cannot wait the usual time for a judge to hear the matter, such as a woman seeking an ex-parte order against her abusive partner, a personnel member from Court Registry can set an urgent court date. If a judge grants her a protection order, someone other than herself must serve her ex-spouse served with the application (Legal Services Society, 2014). A person is not guilty of any criminal offence because a protection order was placed against them, but if the person does not follow the order, they could be charged criminally.

The above stated information has highlighted the barriers the legal system creates for women, and the staggering numbers of women impacted by domestic violence. This section has provided important information regarding the prevalence and issues associated with violence against women in relationships. The glossary provides a list of definitions and key terminology relevant to this research. An overview of some of the British Columbian laws and policies related to VAWIR provided the reader an understanding of the laws and policies that will be further discussed within the final section.

Victim Support Services

Victim support service programs (VS) are a part of public safety services under the BC Ministry of Justice. These programs provide support and services to victims of crime

all over BC through 90 RCMP VS programs, and 84 community-based VS programs according to the directory of victim service programs in BC (Ministry of Justice, Victim Services and Crime Prevention, 2015). In Prince George, BC, there are three victim services programs. These include the RCMP Victim Support Services program, Aboriginal-based Victim Services at the Native Friendship Centre, and the Elizabeth Fry Society Specialized Community-based Victim Support Services program, specialized in violence against women in relationships. Elizabeth Fry Victim Services receives referrals from the RCMP, Ministry of Children and Family Development, Crown counsel office, and the broader community, and provides a range of assistance and services: counselling, information, support and referrals to victims of childhood abuse, criminal harassment, domestic violence and sexual assault (www.pgefry.bc.ca). Services also include court preparation and orientation, court accompaniment, accompaniment to legal appointments, advocacy on a victim's behalf, and referrals to programs and services that could assist victims further. Information can also be provided related to dynamics of abuse and public education and violence prevention, as well as information regarding police file information, the criminal justice system, and court case information.

It is vital to understand the role of the laws, policies, and practices specific to domestic violence against women. As such, the latter part of this literature review has provided the reader knowledge of laws, policies, and practices relevant to violence against women in relationships. Information specific to the Charter of Human Rights and Freedoms, and Crown counsel and the Canadian Criminal Code was noted. The reader was further given knowledge of the criminal justice system and criminal protection orders, in addition to the Family Law Act of BC and family law protection orders. Victim support

services were discussed last. Information about the methodologies employed in this study will be provided in the following chapter.

Chapter Three: Methodology

This chapter provides the chosen methodology utilized for this research. I will first discuss the theoretical frameworks, research ontology, and ontological frameworks guiding this work. Also presented is information regarding informed consent, potential risks and benefits.

Theoretical Frameworks

Social Feminist Framework

A social feminist framework guided this research due to its activist orientation towards social justice (Gordon, 2013), and as feminist research concerns itself not only with the intersection of race, class, and gender, but also patriarchal values, and structural oppression and violence (Bishop, 1994; Mullaly, 2002; Scholz, 2010). This study draws from this perspective. Scholz (2010) acknowledges that the goal of most feminist research is gender equality and the creation of knowledge and understanding, achieved through highlighting the psychological, material, political, and social experiences of women thereby revealing covert and overt oppressions of women.

Feminist research can expose the power gained through patriarchal dogma and tenets embedded within systems, as feminist theory has grounding in analyses of how human interactions are impacted by power (Groenhout, 2002). Anderson (2005) warned

Feminist theory and research should not underestimate the constraints and power relationships that social structures generate, especially against those with the least power to negotiate their way through these structures, namely, those most oppressed by class and race and sexuality and gender. The analyses of power, structure, and agency are central to feminist theorizing (p. 443).

During the research process, a social feminist researcher is cognizant of “the emotional and mutual-dependence dimensions in human experience” (Neuman, 2000, p. 83). A social feminist researchers should seek understanding of the participants’ story with compassion and the sharing of the researcher’s experiences and feelings as “social feminist researchers are not objective or detached; they interact and collaborate with the people they study” (p. 83). A social feminist framework fits well with social constructionism as social constructions give meaning to an individual’s lived experiences because one’s reality and truth is predicated upon one’s own meanings and viewpoints (Hair & Fine, 2011).

Structural Social Work Approach

‘*Structural*’ describes the root of entrenched societal problems people face such as homelessness, poverty, and domestic abuse, as being grounded in the operations of social institutions such as various government departments, and the criminal justice system through discriminations based on gender, disability, class, sexual orientation, and race (Mullaly, 1997). A guiding principle of the structural social work approach asserts an individual’s problems are the result of social structures. Moreau declared the structural approach “places alongside each other the divisions of class, gender, race, age,

ability/disability, and sexuality as the most significant social relations of advanced patriarchal capitalism” (as cited in Carniol, 1992, p. 4).

Building knowledge of oppressions as multi-faceted and blended along with the structures responsible for societal problems is the goal of a structural social work approach (Carniol, 1992, p. 4). “Primary structures,” according to Moreau (as cited in Carniol, 1992, p. 4) are interlocked structures of patriarchy, racism, capitalism, heterosexism, ageism, and ableism. Gender, sexuality, colour, economics, etcetera, duplicate “primary structures” as they are based in primary structures. As an example, oppressions of gender have roots in heterosexism and economic oppression is a repercussion of capitalism. Some examples of secondary structures or organizations are government, schools, media, community, family. According to Carniol, primary structures of oppression are more impactful upon secondary structures; therefore, terms of “primary” and “secondary” are used. Secondary structures maintain the primary structures of oppression. These structures are the foundation for women’s experiences of oppression, violence and deprivation of rights and safety.

Women are oppressed and their rights to safety and dignity are continually compromised by societal structures and oppressive practices. Mullaly (1997) posited, “The substructure or foundation of society consists of a dominant ideology, which is transmitted to all members of society through the process of socialization and determines the nature of society’s institutions and the relations among its people” (p. 134). Social feminist theory complements structural social work theory as both acknowledge that oppressions of capitalism, racism, patriarchy, and heterosexism are at the root of most societal and individual distresses. Empowering people necessitates linking their problems to their

oppressions. Social feminist theory will assist in revealing oppressions women may experience through domestic violence and structural violence.

Qualitative Methodology

Lincoln and Guba (1985) asserted that qualitative research depends on knowledge gained from experience, and the researcher is an “instrument” in the inquiry process whereby he/she adapts, responds, explores, summarizes, questions and interacts with research participants. Within a qualitative paradigm, this research incorporated participants’ words and experiences (Creswell, 2007), of their contact with the criminal justice system because of experiencing male violence in their intimate relationship/s. The guiding research question was: “How do women experience the criminal justice system after experiencing male violence in their intimate relationships?” My understanding is that the goal of qualitative research is not to create generalized results but to provide in-depth nuanced understanding of participant experiences organized into themes in order to resonate with readers. Findings can be drawn upon to elucidate women’s experience of violence in intimate relationships and inform policy.

Data Collection & Methods

This project collected data through qualitative, one-on-one semi-structured interviewing as the main method. Mason (2002) observed that an interactional exchange of dialogue with an informal style can ensure a conversation with a purpose. Interviews did not take as long to conduct as the 60-90 minutes originally planned as I had overestimated the time it would take to answer the interview questions, and some questions did not require a lot of detail. Rather the duration of the interviews was on average 35

minutes. Two short interviews- a preliminary interview followed by a second follow up interview, may have been more effective in obtaining more information.

An interview guide provided some structure to the interview, and further assisted by ensuring relevant information was not overlooked. Utilizing an interview guide (Appendix F) enables the researcher to obtain “thick” and “rich” data (Westhues, Cadell, Karabanow, Maxwell, & Sanchez, 1999, p. 136). Interviews employed the predominant use of open-ended questions in attempts to capture participants’ experiences and opinions (Creswell, 2013). The use of closed-ended questions at the start of the interviews assessed participant eligibility and gathered participant demographics. Interview questions focused on women’s experiences of violence against women in relationships.

At the beginning, participants received the parameters of confidentiality and provisions of anonymity to ensure understanding of the consent form. I then explained the purposes of my research and that I was greatly interested in their experiences. After the introduction and previously mentioned closed-ended questions, women were then asked to share with me their experiences in regards to my interview questions aimed at gathering information of violence against women in relationships and how women thought and felt about the criminal justice system in response to their experience of domestic abuse.

I asked questions specific to women’s experiences of the RCMP and the investigation, whether their abuser was arrested and/or charged, and also whether they had received some form of protection order and how the order was obtained. I asked questions relevant to participants’ knowledge of their protection order, whether there were violations against the order, and their feelings of safety with the orders before and after violations

against the order occurred. I also asked women to share their experiences on the topic of any contact with the Crown counsel office, as well as their thoughts and feelings regarding the criminal justice system and response. Women were asked also to share their experiences about referrals and support services, what knowledge may have been gained from their experiences, and whom they would turn to if they were to find themselves at risk of harm or being harmed. Last, I asked women if they had any final thoughts or comments to add.

Scheduled at a time and date convenient to the participant, interviews occurred in a location agreed upon by participant and researcher. I recorded data electronically with two electronic tape recorders in case there were technological challenges with one of the tape recordings in the interview, or during the transcription process as this would provide me a backup copy. In addition, I took handwritten notes during the interview in order to gather and record the information shared by the participants.

Although I did not anticipate difficulties in interviewing due to my professional experience, I did experience some challenges. Being new to interviewing and recording, I experienced technological challenges twice as I thought I had turned the recorder on, but rather I had turned them both off. Thankfully, I had taken detailed notes during the interview and so relied on these to capture the participants' experience. This was tremendously helpful as I was not able to conduct a second interview with one participant. She was transient and I could not reach her through the contact information I had been provided. I was not able to obtain my last interview for transcription until a week later and discovered that I did not have a recording of the interview. I believe that in my nervousness I must have turned the recorders off when I was checking to make sure they

were on. I was not able to conduct a second interview due to time constraints for both the participant and myself. Again, I relied upon my detailed notes to capture the content of the interview.

Data from the interviews were not as detailed and “rich” as I would have liked. I felt that due to my experience in VAWIR the interview data would be brimming with information, but as my supervisor reminded me, I may be an experienced victim services worker but I am a beginner in terms of research interviewers. I was nervous, and I focused on asking the interview guide questions without taking the opportunity to inquire further at times. Due to this, the opportunity to gain a deeper understanding of the participants’ experiences was hampered. I also feel that some of my focus was lost in the data-gathering phase as I was also trying to concentrate on taking handwritten notes. Through this process, I learned the importance of double-checking the recording equipment. I would also paraphrase back to participants my understanding of what they had shared to ensure clarity and perhaps acquire further information. I would not change taking detailed notes, but I would take time in between each question to read my notes to ensure I had not missed anything and there were no further questions to explore.

To ensure both accuracy and credibility to my research, I also conducted member checking through phone and email to offer participants an opportunity to read the interview transcriptions to ensure accurate representation of their words and experiences. I was unable to contact one participant as she had moved and did not leave forwarding contact information. One participant requested a couple of minor edits involving grammar, which I incorporated. I believe the participants’ words and experiences were accurately and honestly reflected via my notes and transcriptions.

A qualitative methodology was a good fit for this research, as I wanted to learn culturally specific information in regards to opinions, values, behaviours, and social contexts of a particular population. This allowed me to gain an understanding of how women participants experienced the criminal justice system in response to their experience of domestic violence against women (Mauch & Park, 2003).

I reimbursed participants with a \$25 gift certificate to a local mall upon the end of the first interview, but participants did not have prior knowledge of this. Additionally, participants received a list of local counselling services (Appendix E).

Data Analysis Methods

I applied inductive thematic analysis to data collected from the semi-structured interviews (Braun & Clarke, 2006) with data driving this approach. My theoretical framework fits with thematic analysis, as there is no precise theoretical structure attached to thematic analysis. Inductive thematic analysis also complemented my research, as I was interested in capturing women's lived experiences, not the statistical aspects. Through identifying themes interpretatively, the researcher can explore assumptions, ideas, ideologies and conceptualizations "that are theorized as shaping or informing the semantic content of the data" (p. 84). Braun and Clarke's (2006) six steps of thematic analysis informed my research process.

In the first step, I immersed myself in the verbatim transcriptions I had completed, through "repeated reading" (Braun & Clarke, 2006) while looking for patterns and meaning related to my analytic objective. I read the data four times. I also wrote down emerging ideas and notes. In the second step, I wrote down my beginning ideas and notes

based on the meanings and patterns I was finding within my data. I read the data three times more, and referred back to my notes numerous times throughout the process. I then began to develop codes as directed by Braun & Clarke, who noted that by identifying a feature of the data that appears interesting, codes begin to form. I developed codes separately “without paying attention to the themes that previous research on the topic may have identified” (Braun & Clarke, 2006, p. 84). I situated and coded each of the women’s answers with a word to represent or capture what I believed she was communicating. For example, if a participant was describing the physical nature of the abuse that she had experienced, I coded it as ‘physical manifestation’ or if she was describing a positive interaction with the RCMP, I coded it ‘RCMP involvement – positive’.

I utilized structural coding (Saldana, 2013) during the data analysis process in response to what was being explored within my semi-structured questions. An example of a structural code based on an interview question is, ‘violation of protection order’. As a way to code and categorize data, structural coding entailed through taking a piece of text or data correlated to my analytical purpose and relating it to either a conceptual or content-based phrase, a structural code of data can be created (p. 267). I also created idea trees in which I gave ideas and codes different colours. Data extracts from the transcriptions were then set with matching codes. As an example, I placed the data extract “I got clocked by a lantern” with the code physical manifestation. To gain a different perspective, visually coloured poster boards were used upon which I taped the selected text and codes that I had printed off as Braun & Clarke (2006) encourage using different visuals to capture meaning and relationships of codes and themes. By doing this, I could move or shift codes or texts

as needed. This process provided me with ideas of themes and I gained a deeper understanding of what the gathered data was reflecting.

After coding all of the collected data, I began sorting all the codes into possible themes and coordinated the coded data extracts to the themes I had discovered in the previous step. According to Braun and Clarke (2006), identified themes may not have much to do with the questions asked in the semi-structured interviews as, “A theme captures something important about the data in relation to the research question, and represents some level of *patterned* response or meaning within the data set” (p. 82). As well, some individual extracts of data are coded into numerous themes, as was the case in my analysis. For the purposes of this research, as there were six participants, at least three needed to have shared a similar experience in order to classify an experience as a code.

Through step four, I started adjusting and revising my developing themes. In this step, a theme could be further broken down into meta-themes and individual themes and may be joined together. I looked for patterns in the themes within the coded data extracts, and then examined the themes to ensure they fit with the data set. Meta-themes were also developed. As noted by Guest et al., (2012), themes and sub-themes are theoretically based in content versus meta-themes which are conceptual. Step five involved providing names and definitions to the themes to acknowledge what each theme encompassed. Sub-themes were then developed. For example, ‘impact of separation’ was further broken down into ‘participant negative’ and ‘participant positive’. For the final step, as directed by Braun and Clarke (2006), I believe my final document is understandable and analytical such that my analysis places the stories of the participants at the centre of my analysis.

In terms of dependability of my data, throughout the process of data collection and analysis process, I kept a research journal to document my thoughts, decisions, ideas, and processes regarding the process of the project. I have been explicit in the documentation of my data, and I have used quotes of the women in this study within my text as a means to support my study findings. Each theme was cross-referenced, and I ensured there were a minimum of three quotes supporting each sub-theme. To ensure dependability and accuracy of my research, I confirmed my analysis through member checking, in addition to consulting with the literature to connect it with my findings. Through being reflexive, I was able to heighten reliability of my analysis. In my analysis, I was reflective of my interaction with my research participants, and about my professional experience in relationship to the issue of VAWIR and the countless stories women have shared with me. I then considered how my thematic analysis fit with my own understanding of the conducted research interviews. Five meta-themes provided structure to the themes and sub-themes as shown in Illustration #2, found later in this document (page 63).

Researcher Reflexivity

My methodology included personal reflexivity. Westhues, Cadell, Karabanow, Maxwell, and Sanchez (1999) assert that reflexivity is important, because research is not value-neutral. Based in my values and beliefs, are the meanings I created out of the data. My work in the violence against women field has given me strong beliefs regarding the existing legal and social injustices with respect to male violence towards women, which is gender-based and further, promoted through structural violence imbedded in government and society. I believe wholeheartedly that the governments and legal systems have responsibility for upholding and enforcing women's legal rights to safety, dignity, and

protection of persons. Also, all men who commit violence towards women should be held accountable for their behaviour, as this would uphold the rights of women in efforts to ensure their equality and rights to be safe and free of harm. It would further send the message that all forms of violence are unacceptable.

My intrinsic beliefs cannot be fully separated from my research, so it was imperative throughout the research process that I continued to reflect, examine, and identify how my beliefs and values affect my research. Employing personal reflexivity through comparing participant interviews to my research findings allowed me to ensure the research analysis was accurate and reflected the stories the women shared with me. I created art and journalled as a means to assist with these issues, thereby engaging reflexively with the data. I employed these techniques in attempts to ensure this research was as bias and judgment free as possible (Creswell, 2013). Further, Braun & Clarke (2006) spoke to the importance of researcher's not only being aware of their decisions and choices, but in also being accountable for those decisions.

The idea of this research was conceived when I began my Masters of Social Work degree and as such, I am responsible for all decisions related to this study including, but not limited to, the research question and ultimate results. Further, I have grounded this research in theories of social feminism and structural social work, my own experiences and beliefs in humanism and equality, along with my professional experiences of being a specialized community-based victim services worker primarily working with victims of VAWIR. These have all guided me to view participants' experiences through a lens of oppression, subjugation and patriarchy.

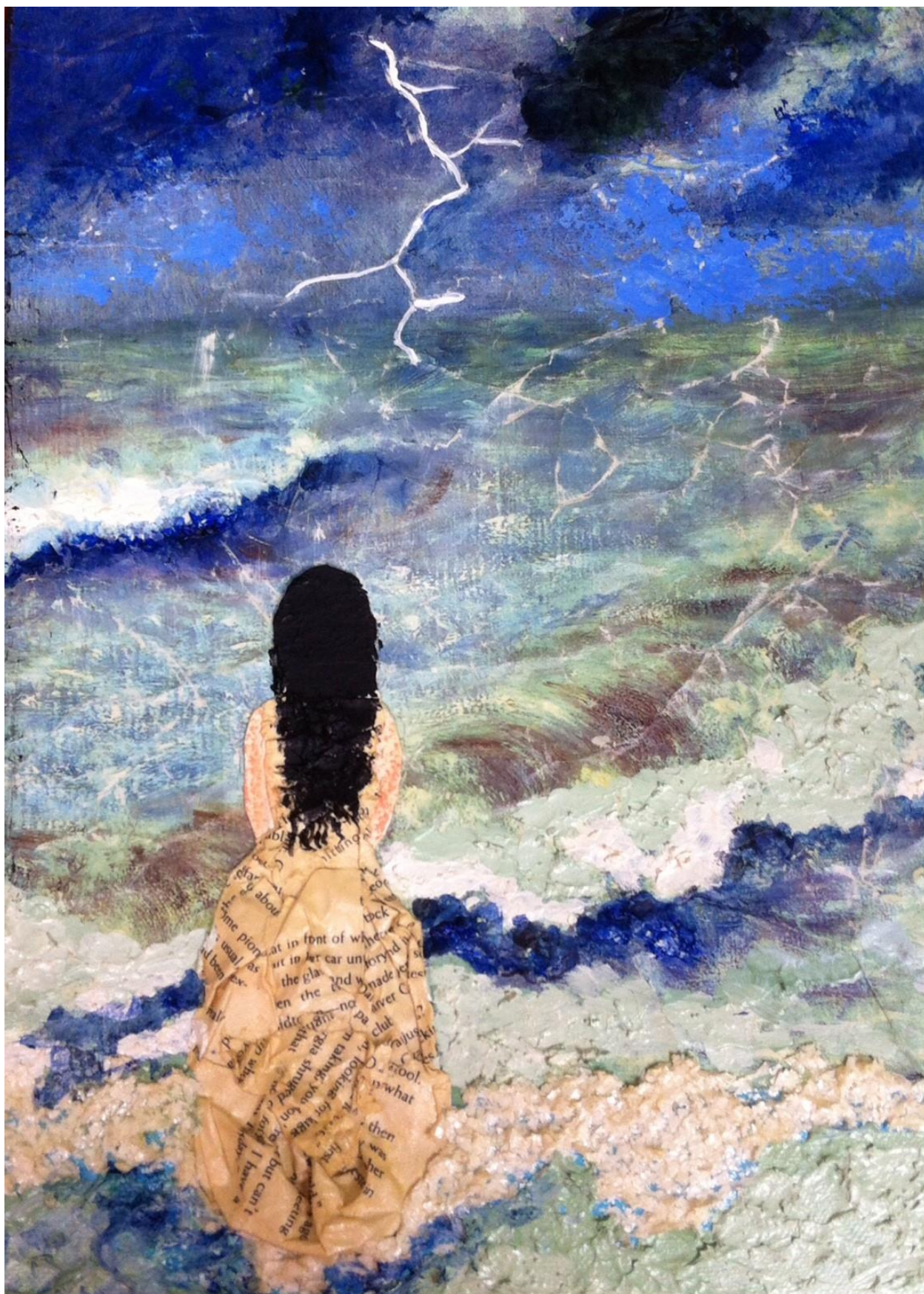
To address the issue of the vicarious trauma faced in conducting this research study and to maintain objectivity, I was able to debrief with a counsellor. Saakvitne & Pearlman (1996) explain vicarious trauma as “the cumulative transformative effect on the helper working with survivors of traumatic life events” (in Richardson, J. I. *Guidebook on vicarious trauma: Recommended solutions for anti-violence workers*, 2001, p. 6).

Vicarious trauma can have a permanent impact through bearing witness to people’s traumatic incidents. Richardson (2001) asserted, “Vicarious trauma is the energy that comes from being in the presence of trauma and it is how our bodies and psyche react to the profound despair, rage and pain” (p. 7).

Arts-based research is the methodological use of artistic processes and/or the making of artistic expressions in all various types of arts, in order to both examine and understand experiences of research participants and or/the researcher (McNiff, 2008, p. 29). Engagement with visual arts, primarily painting, allowed me to visually, and holistically process the trauma of the women’s stories, in addition to how my thoughts, feelings and reactions to my research may have factored into the data collection, analysis and findings. As a specialized VS worker with a decade of experience, I experienced impacts through bearing witness to countless stories from the brave and courageous women who have experienced their male partners’ violence against them. Yet, listing the abuses and violence women in this study experienced as I was developing the research codebook affected me in a way I had not experienced previously. How could someone read that type of list and not be affected? I felt saddened for these women and, at the same time, anger reared its head within me. I was angry that some men operate from fear and choose to intimidate, control, and harm their partners as a way to enforce dominance and

feel superior, rather than use words to relay their emotional state and resolve conflict.

Worse, men repeatedly get away with their harassment, abuse, and violence. The following picture, “woman in a sea of systems,” is a mixed media painting I created in response to my feelings of women’s experiences with the family and legal system of BC.



Participant Sample

I conducted semi-structured interviews with a purposefully selected participant sample. Criterion sampling requires choosing participants who meet a certain eligibility criterion (Creswell, 2013). Although I had originally anticipated including five to eight participants, I had trouble in recruiting participants who met selection criteria. This may have been due to the sensitive nature of violence against women in relationships, which is still perceived by some to be a private matter, and women who are/have been victims of domestic violence often feel embarrassed or shameful. Nine women sought participation in this project, but I was not able to accept three; one did not fit the criteria as there had been no interaction with the criminal justice system, and two others had accessed my professional services within the previous year and a half.

Ultimately, I conducted this research with six participants ranging in ages from thirty-six to sixty-six, with ethnicities identified as Metis, Japanese Canadian, and Caucasian. Educational levels amongst participants also varied: grade ten, grade twelve, college, and university education (three participants).

To obtain the information required to answer my research questions, participants needed to meet the criteria of: being a female aged 19 and older who had experienced violence in her intimate relationship/s; and having had contact with British Columbia's criminal justice system due to VAWIR. She must also have not accessed my professional services within the previous two years, according to the Social Work Code of Ethics. Participants were also to reside within a 200 km radius of a northern community in British Columbia.

I recruited participants through posters displayed at local social service agencies. During my 12 years of working in the field of violence against women, I have gained many connections. Snowball sampling allowed me to expand my sample size by recruiting participants by word of mouth through other persons, professionals, or other participants who informed other potential participants (Creswell, 2007). In this manner, I gained one participant. In accordance with Creswell, in employing my recruiting methods I was able to gather participants who possessed distinct knowledge and experiences of how women experienced male violence against women in relationships including the laws, policies and practices associated with VAWIR.

Ethical Considerations

This project began with wanting to conduct research with participants I had not seen professionally, but due to time constraints and difficulty in recruiting participants, I accepted three participants whom I had previously provided services to more than two years ago. This timeline falls within the BC Social Work Code of Ethics practices, and ethical considerations of my professional role as a VS worker. I also felt confident that these women had enough distance from their experiences to minimize their potential risks, and that they would be able to reflect on their experiences and what meanings they may have applied to those experiences. Further, these women were aware of this project through the recruitment flyers displayed and contacted me.

A Participation Information Sheet and Participant Consent Form were provided to each woman (see Appendix A & B) and these forms highlighted my proposed research methodology, as well as confidentiality and anonymity provisions. Participants were also

aware they could remove themselves at any point during the research process. The participant consent form defined that the identity of participants would be protected through usage of pseudonyms. In taking further steps to protect women's identity, I removed any identifying features. In addition, I have emphasized the voices of the participants through having used participants' quotes to ensure participants' voices were the central focus of the analysis. Each participant signed consent forms voluntarily.

I informed participants of the potential benefits and risks to participation in this study. Potential benefits to participants would be the potential cathartic release from the sharing of difficult experiences, and in alignment with feminist theory, a sense of empowerment by assisting in research aimed at empowering women and promoting their personal safety. Potential risks included the triggering of painful or traumatic memories. In accordance with the Social Work Code of Ethics and by law, the researcher also had a legal obligation to report to the proper authority's knowledge of a child being abused or at risk of abuse; or a plan to harm others or self. I would not report disclosures by participants of incidents of violence or harm committed against them. There is also a risk of a third party subpoenaing the researcher's files. I debriefed participants upon completion of the interview.

Participants received a list of local counselling programs and services (Appendix E). Participants were informed through the participant information letter that the researcher securely stored the tapes, interview notes, and transcripts in a locked file cabinet in the researcher's home office throughout the research process. Electronic files were also password protected. After this research study is completed, the research will be stored in a

locked cabinet in the researcher's office for five years, upon which I will destroy all collected data.

Limitations

A possible limitation of this study is that the research pool in a northern community in BC is small and the potential of respondents to be involved in more than one UNBC graduate project is significant. Future quantitative studies with more time and a larger sample population may provide specific information regarding the BC criminal justice system response, and impacts women victims of male partner violence may experience through the laws, policies and practices related to VAWIR. A further limitation may be the technological challenges I experienced with the recording equipment for the semi-structured interviews that caused me to rely upon my handwritten notes taken during the interviews.

Dissemination of Results

I will disseminate my completed thesis to participants who have requested a copy via email. The Information Sheet and Consent Form informed participants that appropriate levels of government ministries, and women serving organizations would receive a copy of my thesis in following the requirements of social feminist and structural social work of seeking to effect change, and mobilizing activities and advocacy. Electronic copies of my thesis, along with a copy of my thesis defence presentation, will be provided to government ministries of Health, Justice & Attorney General for Canada, Public Safety, and Status for Women. Providing these findings is a means to inform relevant parties of how women experienced the criminal justice system in response to experiencing their male partners' violence against them in their intimate relationships, as well as the laws, policies

and practices related to VAWIR. Locally, I will provide the findings to the community Crown counsel office, Community Corrections, and women serving organizations. Further, I will attempt to publish my research findings in relevant journals, newsletters of women's organizations, community presentations, and presentations at relevant conferences. The research methodology employed for this project offered me the opportunity to collect and share the brave experiences of six women through information I gathered through having conducted qualitative interviews.

This chapter provided information regarding the conceptual framework of this research. Knowledge relevant to participant recruitment and ethical considerations is also given. I also explained how the research data was collected, and analyzed. I also provided information regarding researcher reflexivity, and vicarious trauma. It was also important to provide readers an understanding of how I ensured the validity and accuracy of the research data. Last, I shared information reflective of how I will disseminate the research findings. In the next chapter, I have highlighted the brave experiences of the women in this study. I feel honoured by what they shared and have done my best to accurately and honestly reflect their voices.

The totality of information gleaned from this research should provide insight into whether problems exist within the legal governance of domestic violence laws and related policies. This research may also bear light on the actual practice of the laws and policies. I hope that any information learned from this research will increase women's knowledge of their personal rights and freedoms as promised and protected under law and the Canadian Charter of Rights and Freedoms.

Chapter Four: Research Findings

The following chapter provides the results of six qualitative interviews conducted with Allie, Brittany, Sara, Nancy, Emily, and Katy. The purpose of the research is to understand and gain relevant knowledge of how women experience the criminal justice system because of experiencing male violence in their intimate relationships as it pertains to a northern BC community. Questions asked of the participants assisted in understanding and gaining knowledge of how women experienced the laws, policies and practices regarding VAWIR.

Research Findings

All women in this study have unnecessarily suffered and endured violence against them by their male partners while in relationships with them. All women found the courage and bravery to escape their abusive relationships. However, the majority of participants continued to experience abuse and violence at the hands of their ex-partners even after exiting the relationships. All participants had some form of contact with the criminal justice system in response to the abuse they experienced from their partners while they were both in and out of their relationships.

Data collected in the six interviews identified five meta-themes: while in relationship, while out of relationship, response of the criminal justice system, criminal justice system, learning experience, and future risk. I have further divided meta-themes into the following themes and sub-themes provided in Illustration #2 that follows.

Illustration #2: Overview of Findings

Meta-Themes	Themes	Sub-Themes
While In Relationship	Minimization Isolation Escalation Emotional Response to Domestic Violence Physical Manifestation Reporting Domestic Violence	
While Out of Relationship	Outcome of Reporting Orders Safety Concerns Outcome of Separation Support Network	Received Knowledge of Protection Order Parameters Violation of Protection Order Feelings of Safety with Protection Order Participant Negative Participant Positive Referrals Experience of Community Supports Experience of Victim Services
Response of the Criminal Justice System	System Weakness System Strengths	RCMP Crown Counsel RCMP
Criminal Justice System	Arrests/Charges Provincial Court Experience Emotional Response to Criminal Justice System Process	
Future Risk		

While in Relationships

Women within this study revealed common experiences while they were in their abusive relationship with a man. They shared: minimization, isolation, escalation, emotional responses, physical manifestations of violence, and reporting domestic violence.

Minimization

Three women employed a variety of strategies to minimize the abuse, incidents, or injury they experienced from their male partners while they were in their relationship.

Some of the strategies revealed were; excusing the abusive incident because of her partner being intoxicated, not identifying the violence as assault, and quantifying the injuries sustained. Nancy expressed the first time she was assaulted she was left with; “... *slight bruises.*” Katy expressed denying the severity of the injury she sustained by her partner, evidenced by her report “... *it was a really bad black eye and everything. I just thought no big deal...*”

Isolation

Five women experienced different aspects of isolation while they were in their relationships. Visible injuries such as black eyes, broken bones, and injuries to the face caused some women to experience social isolation. As noted by Sara, “...*they [RCMP] took pictures of my face...*” Living isolated and remotely factored into Allie’s decision of not wanting charges laid against her partner after he assaulted her. “... *I was scared to lay charges on him so he wouldn't... turn back at me 'cause I was living by myself after and way up in the... boonies up in the orchard.*”

Nancy experienced not only social isolation through visible injuries, but also social isolation from her support network through her partner’s isolating her geographically. “*Before living here we lived (down south) where the cops were called the first time he assaulted me and left me with slight bruises. We then moved here to PG and I got assaulted again.*” Brittany explained that her partner attempted to interfere and isolate her from family. “... *He got up mad because I was going to go to the funeral and be with family and friends ... he was stalking me by getting friends to follow me. He was picking up and listening in on my phone calls, crazy stuff.*”

Escalation

Five of six participants spoke to the fact that over time the abuse perpetrated by their partners became more frequent and more physically severe. They experienced escalation of abusive incidents from emotional moving to physical violence, and gave voice to experiencing behaviours they did not know how to define except as “crazy”. As stated by Brittany, her partner’s behaviour began with “... *verbal and emotional abuse... but then it got worse... getting really possessive... stalking me by getting friends to follow me... picking up and listening in on my phone calls, crazy stuff... [He] hit me... kicked the door in and made threats to kill me.*” Katy and Nancy disclosed their partners assaulted them previously. Nancy also reported her injuries were becoming more severe. Nancy expressed, “...[the] *first time he assaulted me... [he] left me with slight bruises... [I] got assaulted again... had two black eyes, multiple contusions and a broken leg from being thrown on the ground and [his] jumping on me.*”

Emotional Response to Domestic Violence

All participants revealed an array of emotional responses to the domestic abuse they had experienced in their relationships. Two shared very similar sentiments. Nancy named her experiences as “*horrific*,” while Sara used the term “*horrendous*.” Women also noted feelings such as: being confused after being assaulted, feeling demoralized after verbal abuse, and feeling humiliated as they thought they knew the warning signs but still found they were in an abusive relationship. Having felt fear for her life, Brittany disclosed, “...*he made a threat to kill me...*” Some women spoke of feeling no privacy, of not being able to trust themselves or others, and of concealing from others what they were

experiencing. Katy spoke of her abuse resulting in emotional scars stating, “*I didn’t have... visible scars but I had emotional scars...*” Emily also communicated feeling afraid of being seriously hurt by her partner, “... *up to my leaving him there were things... he was doing that were getting to the point... [where I thought] he’s going to harm me.*”

Physical Manifestation

Five participants in my study acknowledged that physical violence was a part of their relationship. Abusive incidents became progressively worse over time, as was the experience of Katy who shared “...*he shoved me... [and was] verbally abusive...*” [progressing] to “...[he] *beat the shit out of me... really bad black eye and everything...*” Some participants spoke of invisible injuries. Nancy acquired “... *two black eyes, multiple contusions and a broken leg from being thrown on the ground and jumping on me*” and was hit with an object. As Allie expressed, “...*I got clocked by a lantern...*”

Reporting Domestic Violence

All participants acknowledged reporting their abusive experiences to RCMP. The majority of women revealed that their abusive incidents were becoming worse each time. Some women acknowledged feeling supported by the RCMP, as reflected by Nancy who stated, “(*The female corporal*) *was amazing.*” One spoke of being afraid of living alone and isolated and being assaulted again by her partner, while another expressed reporting her assault to a friend online as the phones had been ruined by her partner during the assault, and this friend called the police.

Of note, Katy shared that she did not report her two previous assaults by her partner because she minimized the injuries she sustained, and excused her partner's assaultive behaviour due to his being intoxicated.

While Out of the Relationship

Participants communicated experiences they all shared while they were out of their abusive relationships and this revealed five themes of outcomes: orders; safety concerns; outcome of separation; and support network.

Outcome of Reporting

All participants experienced very negative consequences while out of their abusive relationships because of reporting the last assault they suffered while in their relationship. Despite the fact that women had left their abusers, the abuse continued in the case of some participants. Two spoke of continued violence, with one being assaulted three months after separation, and another being verbally attacked in her place of employment. Sara noted, "... *he showed up...[at] my place of business. I was the only person in the office... I was... on the phone with the 911 operator while he was yelling and screaming...*" While Allie was seeking safety from her abuser, he retaliated by coming back to the home and stealing her personal property.

Katy revealed that she was hospitalized because of the distress she felt after her experience, and then continued to feel there was no option but to move faraway to escape the continued abuse. Emily shared further violations against her as family turned against her and threatened her as said "...*His stepfather actually threatened me...*" Some women also expressed fear when out in public.

Orders

Participants' responses to questions in regards to protection orders revealed four sub-themes: received, knowledge of protection order parameters, violation of protection order, and feelings of safety with protection order.

Received.

Four participants who had experienced violence by their partners had received some form of protection order. While Katy reported she had two orders; a *No-Contact Order* under the Family Relations Act, and a criminal Section 810 peace bond, Emily received an order with which conditions for contact were included, "*Yes there was a no-contact order... he could only communicate via a third party agreed to by me.*" Multiple participants were provided protection orders. Nancy shared, "*I was given a no-contact order for me... for my daughter... [and] for my friend...who called the police.*"

Knowledge of protection order parameters.

Of four participants who had received some form of protection order, only two acknowledged having complete understanding of the parameters of their order. Nancy expressed full understanding of the parameters of the order: as, "*(The female corporal) explained any form of contact.*" Emily and Katy reported that they did not comprehend the parameters of their protection orders, as exemplified by Emily: "... *it was a few months later that I really understood them.*" Specifically, both did not understand the condition of "no indirect contact." Katy reported "... *I didn't understand that he could not ask somebody to call me or get in touch with me on his behalf...*"

Violation of protection order.

Three of four participants who possessed orders of protection reported that their ex-partners violated and did not comply with the conditions of the order. Two women experienced repeated violations. Sara noted, *“Almost instantly there was breaches...”* Nancy also experienced repeated violations including indirect contact: *“His son contacted me which was indirect contact.”* Some violations occurred through making contact by phone, or electronically. Katy was fearful for her and her family members’ safety: *“...a couple of weeks after we’re in court and he comes right up to me stands right beside me and he starts threatening my ex-husband... He stood right beside me like I was scared.”*

Initial feelings of safety with protection order.

Two participants reported possessing a protection order offered them a sense of personal safety and security until their ex-partners violated their orders. Katy expressed, *“... until the incident in the courthouse I thought well this is pretty safe right like I think that I’m going to be protected...”* Nancy shared similar feelings as she stated, *“... I felt pretty safe with the order.”* She further disclosed having felt protected and that she could go where she wanted.

After their ex-partners violated their orders of protection, two women revealed that they no longer felt safe or protected as they expressed almost identical statements. They observed that their orders had no weight. Sara noted, *“I felt like it was a piece of paper, nothing more,”* which was echoed by Katy who said, *“... it’s just pieces of paper, it doesn’t mean anything.”* Nancy reported that she felt a measure of safety with her order,

but believed that if her ex-partner was furious enough, the order would not have stopped him from harming her.

Safety Concerns

All the participants identified a variety of safety concerns even though they had left their abusive relationships. For some participants the abuse and violence did not end. While three women continued to be fearful because their ex-partners violated their protection order, another three participants could not escape their partner's abusive behaviours. Katy experienced an assaultive incident by her ex-partner a few months into her separation, while two experienced violent incidents by their ex-partners at their place of employment. Emily had the additional concern of working at the same place as her ex-partner who threatened her life. Brittany's partner also threatened her life when he last assaulted her and the relationship was ending; both women believed the threat, and it caused them to fear for their personal safety. Emily shared, "... *when he actually threatened to kill me...I took that threat very seriously...*"

Allie reported she felt concern for her personal safety after her partner had been violent toward her, as she lived alone and remotely. Her partner was not been arrested or charged, and she did not receive a protection order, "... *Living by myself after... way up... in the boonies up in the orchard... when I came to my senses, I was traumatized... RCMP says well you didn't want to put charges then we're not going to put charges on him.*"

Of the two women whose lives were threatened, Emily expressed worry for her personal safety after an RCMP officer informed her of the release of her ex-partner from jail. She was instructed to leave town for a little if she could due to concerns for her

safety: specifically, having been threatened by her ex-partner's step-father, and out of concern that her ex-partner could have tracked her electronically when she left town.

Being homeless for a number of months after leaving her relationship also compromised her safety. Nancy reflected she felt worried based on the concerns of police as she said, "... *they (RCMP) were concerned about my safety being estranged from my husband.*"

Brittany revealed moving far away to escape the continued abuse. Nancy and Katy also reported they were fearful of running into their ex-partner while they were out in public.

Outcome of Separation

Participants shared experiences of outcomes of separation that revealed two sub-themes, negative and positive.

Negative.

Four participants revealed having experienced negative outcomes to their separation. Three women had continued to fear their ex-partners as the abuse continued even after separation. Emily said, "*It happened at work and...work was involved...And we're both employees...*" and "... *he actually threatened to kill me...*". Sara also said, "... *he showed up...[at] my place of business.*" Katy reported that during separation she experienced two abusive episodes by her ex-partner. Three women also continued to fear for their safety because their ex-partners had violated their protection orders, while two experienced repeated violations. Nancy stated, "*My ex breached three times...*"

Nancy endured disastrous consequences as she lost her job - the result of not being able to work due to the injuries she sustained when her partner last assaulted her. She also faced housing insecurity: "*I lost my job because I couldn't go to work, and I was losing my*

home.” Brittany disclosed she had no option but to move far away to escape the continued abuse as she stated, “... I decided to leave and went to family in Saskatchewan.” Allie lost confidence in the police and others; “I learned... not to trust too many people especially the RCMP.”

Emily spoke of her ex-partner trying to regain his control and dominance over her, of couch surfing for a number of months after she separated from her partner because she lost her home when her ex-partner took possession. *“... It was my house too. I put just as much money just as much effort just as much time into that place as he had. Why was it his? Just because he had made a couple mortgage payments?”* She also reported that during those months after the no-contact order was in place, and outstanding financial matters requiring attention, she felt no other choice than to contact him, placing herself at risk of emotional harm by her ex-partner and taking the risk of his violating the protection order. Further impacts were revealed through feeling isolated from her child during the father’s access time; being forced into an access schedule for her young child; and frustrations of co-parenting with an unhealthy ex-partner.

Katy disclosed that although it had been a long time since her separation, she was still fearful of running into her ex-partner while out shopping. *“If I’m out in the mall or the grocery store or Walmart I am still in fear of what would happen if he were to see me and... our daughter.”*

Positive.

All participants revealed experiencing some positive impacts from their separation. Three women appreciated gaining knowledge of their rights during their separation

process. As Sara expressed, *“I learned about my rights...”* while another spoke of gaining self-awareness, assertiveness, and confidence. She shared, *“...learning about myself... I learned more about my rights... I became more confident as a person and what I can accept and not accept.”* Some participants revealed that they gained a lot of knowledge and felt confident they would not be in an abusive relationship again, of feeling positive lessons were learned, and feeling they had learned about their personal safety. Katy stated, *“...I learned that I had the right to feel safe...”* Allie expressed that she obtained knowledge to safeguard herself. She said, *“...I learned to protect yourself...”*

Support Network

Participants' responses to questions regarding referrals and support networks reflected three sub-themes of referrals, experiences of community supports, and experiences of victim services.

Referrals.

RCMP provided referrals to four of six participants in my study: three to Elizabeth Fry Victim Services, one to RCMP Victim Services, and one to a transition house. Sara reported, *“...they (the police) ... gave me a card with different numbers to call (community victim service programs) and instructed me that I should be speaking to someone...it was like a business card.”* Two women received referrals for counselling: one provided by RCMP Victim services, the other from a family physician, as noted by Brittany who stated, *“...my doctor... got me connected with counselling sessions...”* RCMP did not provide two participants referrals. Katy explained, *“... they (the RCMP) never offered me any services.”*

Experiences of community supports.

Four of six participants shared their experiences with the community supports they accessed. All four reported positive experiences, while one reported a poor experience with one community-based program. Women expressed feeling supported by the Elizabeth Fry Society's counselling and victim services programs and that if they found themselves in future distress they would reach out to Elizabeth Fry Society programs for support. Brittany revealed feeling supported by her minister, and stated that if she was at risk of harm in future relationships she would "... *call my minister first who I've gotten counselling advice from before.*" Two women also spoke of accessing a women's shelter. While Allie expressed being violated at one women's shelter with belongings stolen from her, she felt very supported at another; "...*the second shelter was just absolutely FABULOUS... they are still there for me... I can call them and they will always help me.*" Another participant noted her support in court by a counsellor who accompanied her.

Experiences of victim services.

Four out of six participants accessed a Victim Services (VS) program: While one accessed RCMP VS, three accessed the specialized community-based VS program at Prince George & District Elizabeth Fry Society. All four women highlighted VS programs as a vital service through which they felt supported and informed of their rights as well as learning the criminal justice system processes. Katy identified "...*it's the most valuable... the best thing that I've ever done was to connect because... if I had not I would have just felt that this is the system... I didn't know what my rights were till I connected with (E. Fry victim services)...*" Nancy observed, "*Victim Services is a good thing to have in place because*

sometimes the system is a little harsh and forgets the human experience... especially when you're at risk because they're removed from the relationship... I wouldn't have gotten through without it." She also reported RCMP VS increased her knowledge about how to improve her personal safety at home. Three women also expressed they would reach out to victim services for support and guidance if they were to find themselves at risk in the future, as reflected in the words of Sara, who said she would use VS "... *to get the different help I needed whether it be counselling, support services for whatever I would call E. Fry.*" Nancy stated that she would call "...*victim services because they're still helpful with information or guidance.*"

Response of the Criminal Justice System

Participants' experiences of the response of the criminal justice system response, specifically police and crown counsel reflected themes of system weakness and system strengths.

System Weakness

Participants' experiences reflected some weaknesses in the criminal justice system response within sub-themes of "RCMP involvement-negative" and "crown counsel involvement-negative."

RCMP

Three participants reported negative experiences in regards to their involvement with RCMP, resulting in their not feeling supported by the police. Allie reported she was shocked and not feeling clear-headed after her assault, and did not want charges pressed

immediately against her partner as she was fearful of her partner's retaliation because of living alone in an isolated and remote area. When she was ready to press charges, she did not feel support from the police officer. "... *The RCMP says well you didn't want to put charges then we're not going to put charges on him. Should have put it when I told you to.*" Allie also explained, "... *I don't waste my time with RCMP's anymore... 'cause the RCMP don't do their job right half the time...*"

Emily had more than one negative interaction with the police. She noted a lack of communication and follow-up, and was shocked when an RCMP officer contacted her to obtain her ex-partner's contact information in regards to his seized firearms. She also felt disrespected by an RCMP officer who called and came to her home late at night to drop off a subpoena to her ex-partner's court appearance. Emily shared, "*There was a lot of attitude from that cop.*"

An RCMP officer, Sara reported, dismissed the seriousness of the abusive incident and was slow in responding to her 911 call, causing her to feel dismayed and unsupported. She said, "... *the first thing out of his (RCMP officer) mouth was well he seemed like a nice person when we spoke to him... I didn't feel like I was helped or supported at all through the entire situation...*" She filed a complaint with the RCMP in regards to this officer's response.

Crown counsel.

Four participants reported that their involvement with crown counsel was negative. Experiences consisted of feeling there was a lack of communication, of no consistency in

whom they spoke with, of having no voice in the criminal matter, and of finding the process confusing.

Katy spoke of her abusive incident as not being treated seriously, and was regarded as a case of he said/she said. Katy shared, “...*I met with the crown for the breach. She knew. She said ... this guy is... like a... stick of dynamite... he’s a ticking time bomb she said there wasn’t really much she could do about it. That even though she knows this guy has issues and that this guy needs to get help and... I need to fear for my safety.... I felt well you’re the crown counsel and you’re telling me that... you see these characteristics in him and you see that I need to fear for my safety but yet your telling me that there’s nothing you could do about it...*” She felt unsupported by the crown counsel attorney who knew she was in danger but did nothing. She also questioned how she was supposed to respond to her ex-partner when the criminal justice system could not handle her ex-partner, and she questioned how she was supposed to respond to the danger he posed.

Nancy spoke of feeling it was difficult to meet with a crown attorney shortly after being assaulted, and not agreeing with the crown counsel attorney about lessening her ex-partner’s charge in regards to a plea-bargain. She said, “*His lawyer the day before it was to go to court called to try and make the charge lesser. I disagreed with the crown and said no go for the gamut...*” Emily reported feeling shocked at the crown counsel attorney’s possessing misinformation at her ex-partner’s court date. She noted, “...*it must have been his first appearance at court...and at that point they (crown counsel)... they said oh your working to be able... to change...the order in order to have direct contact with him and I was actually taken back cause I had never said that.*”

System Strengths

Participants spoke of their positive experiences with police in response to the violence they experienced at the hands of their partners within the sub-theme of RCMP involvement - positive.

RCMP.

All six women in my study acknowledged the positive strengths of the RCMP. Nancy felt supported by the responding male RCMP officer who was sensitive to her emotional needs and called in a female officer to complete the investigation. She reported feeling that extra safety measures were taken by RCMP to protect herself and her daughter, and of feeling supported and informed through the RCMP's maintaining communication. *"She'd (female corporal) make sure to touch base with me every couple of days in the beginning. Later on if she... hadn't heard from me in a week she would call or show up at my place."* Emily reported, *"I didn't think the RCMP were going to do something, and I was actually really surprised that they did and that they took it as seriously as they did."*

Three participants expressed feeling protected as the RCMP seized their partners' firearms. Brittany exemplified this; *"Police asked if there were guns and I said there was so they asked for permission to search the house and confiscated the guns."* The provision of protection orders by RCMP also offered some women a feeling of personal safety. While some women spoke of RCMP officers displaying concern through inquiring whether they had a safe place to stay, others received referrals to programs and services to support and assist them further. Some women also spoke of feeling supported by having a choice. Allie reported; *"I was fearing of him so they didn't put charges when I asked them to [not*

to lay charges].” In Brittany’s case, she was pleased at the choice to move out of province as she did not know that she could.

It seems relevant to mention even though criteria to create a theme require three participants to identify this area as important to stand out against other research, only one participant spoke to a positive interaction with a crown counsel attorney. Nancy felt relieved that the Crown attorney was a female that had been prepared for their meeting, as she possessed all relevant material to the case, as she stated, “*She had the transcripts and had the pictures from police.*”

Criminal Justice System

Three themes expressed by participants in this study regarded the criminal justice system: arrests/charges, provincial court experience, and emotional responses to criminal justice system process.

Arrests/Charges

Four of six participants spoke of arrests and/or charges. Four women disclosed the arrest and charge of their partners after their last experience of their partner’s violence towards them. Nancy reported, “*He was charged with assault causing bodily harm.*” In Sara’s case, “*... his charges were dropped...*” In Allie’s case, her abuser was not charged.

Provincial Court Experience

Some participants had negative and positive experiences with provincial court because of their partners’ abusive incidents towards them. Two women reported that their ex-partners, who were also their offenders, were able to see them in the courtroom and this

caused them anxiety. Katy stated, *“They shouldn't...have to be present in the same court room and... him having...to see you...I didn't like that he could see me.”* Emily reported she did not attend her ex-partner’s court appearance, as she was fearful he would be angry if he saw her.

Kate was fearful of re-victimization if the case went to trial and her ex-partner would be able to question her as he was representing himself, and spoke of attending his court appearance so the judge would see her as a person, not just a file. Two women spoke of their ex-partner accepting a plea bargain. Katy noted, *“... [he was] going to plea to a lesser charge but if he were to not be in good behaviour in the year they can bring the charges back.”* He received no criminal record and Katy received a one-year peace bond.

A lengthy wait for her ex-partner’s case to get to trial was spoken to by Nancy as she acknowledged, *“...It took almost two years before getting to court”* and with the medical documentation of her past injuries caused by her ex-partner’s violence towards her being dismissed in court. She revealed shock at her ex-partner’s charge of assault causing bodily harm being plea bargained to a lesser charge of assault; and of her ex-partner’s sentence of two days for each charge of violating the protection order. For the assault charge he received eighteen months’ probation and no jail time; was prohibited from possessing firearms or other weapons; could only use a knife for eating; was prohibited from drug and alcohol use; had to check in monthly with a bail supervisor; and had a protection order placed against him for a one-year period.

Emily communicated that she was not informed as to what transpired with her ex-partner’s criminal charge and his court appearance. *“... He pled guilty or...I don't actually*

know what... in the end he didn't wind up with a criminal record. He didn't have his guns. He wasn't allowed those back after his court date.”

Nancy spoke of a favourable experience through the provision of a secluded room to wait in rather than waiting in the courthouse lobby before the court case began, so she would not have to see her ex-partner prior to the case.

Emotional Response to Criminal Justice System Process

Five out of six participants discussed their emotional responses with regard to the criminal justice system process.

Afraid: Emily was afraid when the Ministry of Children and Family Development (MCFD) contacted her after she experienced her last abusive incident,

Cannot escape the abusive incident: Emily revealed feeling she could not escape the abusive incident as a RCMP officer made contact late at night to drop off a subpoena to her ex-partner’s trial –an officer whom she believed had “attitude” when dropping off the order. Nancy found it took more than a year and a half for her ex-partner’s case to go to trial,

Confusing: Sara stated the criminal justice system process was confusing,

Dismayed: Nancy felt dismayed the court did not accept her past medical documentation of injuries as evidence in court. She spoke of feeling supported by the judge’s statements in court, and of believing her legal rights would be upheld, and then feeling let down by her ex-partner’s court sentence. Nancy stated, “*He would plead to a lesser charge of just*

assault which in turn gave him eighteen months' probation and no jail. He could have rotted in jail for one year."

Disregard of rights: Katy felt her rights were disregarded as she was expected to deal with her ex-partner when RCMP and crown counsel were not able to, and that they knew she was in danger but did nothing to protect her or her rights. Katy also felt disregard as there was no prosecution of her ex-partner for his subsequent breaches.

Empowered: Allie felt empowered by the RCMP who offered her a choice in whether charges should be laid against her partner.

Fearful: Katy identified that if her ex-partner pled not guilty to his charges and the matter went to trial and, that if he was representing himself, he would be able to question her on the witness stand. Katy reported she was fearful of the possible re-victimization this would cause her.

Horrendous/Horrific: Sara identified her experience of male violence against women in relationship as horrendous, while Nancy reported her experience as horrific.

Penalized: Emily expressed feeling penalized, as her ex-partner used the order meant to protect her to punish her through the isolation of her child. Emily stated, *"I felt that he used it (the no contact order) for his own advantage many times. Our child at the time was only six and he refused to allow her any contact with me while she was with him."*

Pleased: Brittany was pleased she had an option to move far away and disclosed that in the future she would, *"... also call RCMP as they give you that choice to go ahead and leave if that's what I wanted to do."*

Powerless: Katy reported feeling powerless- She expressed, *“I don't think it's right that... (my ex) could do what he did to me violate his conditions and have NOTHING against him.”*

Regret: Emily also disclosed feeling regret for having not attended ex-partner's court appearance, as attending would have had offered her a better appreciation and knowledge of the court outcome.

Sympathy: Emily revealed feeling sympathy for her ex-partner who had to experience the criminal justice system process as an offender.

Unimportant: Katy felt that no one really cared about her rights. She revealed feeling unimportant when she questioned how she was supposed to deal with her ex-partner when RCMP and crown counsel were not able to, and of other people knowing she was in danger but doing nothing to help her.

Unprotected: Sara and Katy expressed feeling unprotected - the consequence of the criminal justice system response to their ex-partner's violation of their protection orders. Sara stated, *“... it was a piece of paper nothing more”* and Katy *“... it's just pieces of paper it doesn't mean anything.”*

Future Risk

The majority of participants shared that in the future, if they were to find themselves at risk of immediate harm, or their abusive partner was harming them, they would call RCMP or 911 as Katy reflected; *“I would call first and foremost the police...”*. If participants felt at risk of harm in an intimate relationship some reported they would

reach out to their support network such as friends, or a counsellor, and as Brittany said, “*I would probably call my minister first...*”. Three women acknowledged they would seek support through community supports and of victim services programs. Nancy observed she would contact a victim services program if she felt at risk of harm in an intimate relationship. Allie shared that she would not seek help or support, “*I wouldn’t call anybody... ‘cause I don’t trust the RCMP.*”

Summary

Through my analysis of six interviews with women from a northern BC community who had experienced violence against women in relationships including Canadian and BC's laws, policies, and practices as the result of their partner's violence, five meta-themes emerged. These themes included while in relationship, while out of relationship, response of the criminal justice system, criminal justice system, and future risk. In terms of my research findings, there were some tragic results with such a small sample. Compounding women's negative experiences of VAWIR, the majority of women experienced some form of isolation from formal and informal supports that may have intervened and/or supported the woman in escaping the relationship.

The majority of women, while in their relationships, experienced escalation of the abuse with it becoming more frequent and/or severe, progressing from emotional abuse, verbal abuse, to property damage, threats to life, and physical abuse, which resulted in visible injuries and broken bones. Some women reported being physically assaulted more than once by their partner, and this continued while separated and out of the relationship. Of six women: two had their lives threatened; three experienced violent incidents by their ex-partner during separation; one was physically assaulted, and two were verbally assaulted at their place of employment; one lost her job and her home; and one woman became homeless, tragically losing her home. Brittany also bore the expense of moving far away to escape the abuser.

Four women received some form of protection order, but only two women understood the parameters of their orders. Three ex-partners violated their orders; and except for one, violations of protection orders were not pursued by police, or prosecuted by

crown counsel, or the court. Two women proclaimed identically that, in their experience, protection orders are just “piece/s of paper.” Further impacts to some women occurred through their negative interactions within the criminal justice system ranging from police interaction, crown counsel involvement and the criminal justice system process. Women felt unsupported, their incidents of violence trivialized, and their rights disregarded. Women bore individual responsibility for their own safety as their partners experienced little consequence because of their violent behaviours.

All participants revealed that support networks provided them support and information, and that through all of their experiences with the criminal justice system process the majority felt they had gained knowledge of their personal and legal rights. Last, some women identified that if they were to be in danger of harm they would contact police, and for support and information, they would rely upon their formal and informal support systems. For the purposes of this research project, women have been identified as ‘victims’ to emphasize the point that they are not at fault for being verbally or physically attacked, hit, kicked, and the attacker is, but make no mistake, they are victimized in this respect. On the other hand, all women who have been the victim of their male partners’ domestic violence are strong, brave, courageous survivors who got out alive. That did not happen because they were weak.

Their survival reveals their strength, wit, strategy, perseverance, and utter love (often for their children) to continue to maintain a will to live under such duress and persecution. They are courageous survivors who got out alive, and are forever scarred because of their experiences inflicted by their partners who were to love and care for them, not inflict trauma.

Chapter Five: Discussion and Recommendations

I conducted this research in an attempt to understand better how women experienced the criminal justice system because of experiencing male violence in their intimate relationships. This final chapter (includes conclusions gathered from this study) contrasts my study results to that of the literature, as well as providing future research recommendations, a discussion of themes through my theoretical lens, and proposed future research yet to be conducted.

Discussion

The purpose of this study was to gain an understanding of women's lived experiences of violence within intimate relationships and the BC criminal justice system in relation to their victimization. It sought to explore how women felt about the very laws, policies and practices that are supposed to protect and uphold their human rights. Although all participants spoke of a positive interaction with the RCMP (including Allie who initially was pleased that an officer did not lay charges at her request), overall findings revealed an ineffective criminal justice system response and process. I found that women's rights were suppressed and not upheld, and abusers incurred minimal repercussions. All women in this study² experienced re-victimization through gender-based violence, and/or structural violence through the legal process that did not uphold protection orders through the criminal justice system. In addition to the verbal and physical assaults, these women's legal rights to safety and dignity as persons were significantly violated. This research revealed the hidden and blatant oppressions women faced, evidenced by the majority of women which were experiencing continued abuse and violence, such as violations of protection orders, treated with little regard causing some women continued fear for their

safety; the lack of repercussion to the offenders; and the economic and housing insecurity women experienced. Ultimately, women's legal rights to safety and dignity of persons were not enforced and their equality not promoted. These oppressions seriously compromise women's safety and force women into vulnerable positions such as choosing between enduring the violence to retain economic security or leaving the violent partner, and losing economic security and acquiring the looming threat of her ex-partner's retaliation against her or her children.

The issue of anti-bullying has been a focus of government and the broader society in recent years. This attention comes with the recognition that as a society we are trying to ensure children grow up as healthy non-violent adults. Despite this, children are still witnessing the abuse of women who are victims of domestic violence - one of the biggest forms of bullying. Society and families are raising the next generation of abusers and victims through observing and learning the ins and outs of violence against women, both from their parental figures and from society in which VAWIR is condoned. It has to stop. In reporting the violence they are experiencing by their partner to the police, women need to have confidence in knowing their matter will be taken seriously, and their rights will be upheld. Although children require prevention and intervention programs, instead of 'fixing' children, government and society should exhaust every effort aimed at not just prevention and intervention, but also to the eradication of violence against women. Period.

Contrasting Results to the Literature

Similarities

Literature supports all of the participants' experiences while in and out of their abusive intimate relationship as being reflective of what research has to say about VAWIR. Research supports the argument that male's abuse of their intimate partners is used in dominant traditional patriarchal power structures to enforce women's inequality and submissiveness (Black, Weisz, & Bennett, 2010; Goonesekere, 2006; Mullaly, 2002), and further, that physical violence is one way of men's obtaining, and maintaining power and control over their female partner (Leone, Lape, & Xu, 2014). Participants' experiences reveal emotional, verbal, mental, and economic abuse. This is in addition to the overt violence of physical attacks, and being hit, or kicked as replicated within the power and control wheel and the cycle of violence (Cory & McAndless-Davis, 1984; Duluth Model, 1984). These actions and behaviours show males choosing to employ ownership, oppression, and dominance over their partners. Sinha (2013, p. 10) reported that women who are victims of their male partners' violence are three times more likely than male victims to experience interruptions to their daily routine and structure. They are seven times more likely to feel their life is at risk, and are physically harmed twice as often, although in violent crimes not involving intimate partners, disproportionate gender differences were invisible in any other category besides interruptions to daily routine and structure.

Research revealed that from birth a female's safety, security, and life are at serious risk through acceptable traditional and societal practices (Goonesekere, 2006). Hunnicutt (2009) asserted that males possess far more value within society, government, business,

and the family, which brings about more power and entitlement. This obviously comes at a cost to women, as evidenced by participants in this study, who experienced further impacts through entwined primary and secondary structural violence (Moreau, 1989 as cited in Carniol, 1992). For example, primary structures such as patriarchy, capitalism, and heterosexism, added together, created major inequalities for these women as evidenced through gender, and economic and housing insecurity. Women's losing their homes and jobs, as well as being pressured into child access schedules are reflections of this inequality.

The research of Farmer (2003) and Bishop (1994) further supports the impacts participants experienced through secondary structures of government, which overtly maintained and supported men's dominant group rights. Evidence of this is a perpetrator's not being arrested, a woman's losing her employment, some women's losing their homes; and covertly through the minimal consequences offenders experienced because of their violence. These actions can cause oppressed women to feel inadequate and responsible for their struggles that are the result of hidden oppressions (Mullaly, 2002). At the structural level, Mullaly (2002) noted covert oppression:

...contradicts the spirit and intention of the civil and human rights legislation and the principles of liberty and equality that have been developed over the past hundred years to prohibit institutional discrimination and to extend citizenship status to previously excluded groups (p. 114).

Portraying and abolishing the intrinsic organizational violence and the oppression women experience through the denial of their personal and legal rights are main goals of feminist theory (Anderson, 2005; Hunnicutt, 2009; Mullaly, 2002). These oppressions are

also the foundation of the minimization of women's rights in this study, whereby there was little or no consequence to the four men who were arrested and charged as a result of the violence they inflicted upon their partners. This includes the male partner who experienced no consequence for hitting his partner in the head with a lantern after the victim requested charges be laid shortly after the abusive incident when her trauma had eased. According to the *VAWIR Policy*, "if there is adequate evidence to suggest that a crime has occurred, police are required to conduct an investigation and make an arrest regardless of the wishes of the victim" (Department of Justice, 2003, as cited in Barrett, St. Pierre, & Vaillancourt, 2011). Accordingly, women's rights require some protection from trauma brought about by those who commit domestic violence. Offenders are to be held accountable for their actions in accordance with the laws, and policies related to VAWIR.

Some women's victimization continued through the criminal justice responses and systems that have responsibility for women's safety as well as to protect them and uphold their legal rights (Gillis et al., 2006; Rossiter, 2011). Instead, as Bishop (1994) and Sidanius and Pratto (1999) expressed, the imposition of men's legal rights over women's rights maintains and enforces patriarchy, while contributing to the oppression of women. Government understands the impacts on women as being individual problems, rather than systemic ones rooted in a lack of coordinated government programs and funding (Rossiter, 2011; Walker, 1990). These experiences exemplify feminist and structural social work theory, which espouses that power based relationships require and are maintained through dominant gender roles which are usually occupied by men (Anderson, 2005; Ras-Work, 2006).

The majority of participants' experiences with the CJS and its response to their

domestic violence are also evidence of structural violence and covert oppression. The very systems meant to protect their bodies and rights re-victimized women. Women's experiences were indicative of structural violence, displayed through some women's negative interactions with RCMP who were dismissive, displayed attitude, had slow responses, and made favourable comments about the abuser, all of which reinforced subjugating women's rights while enforcing men's rights.

Data from this research also revealed the disregard of women's personal safety. The courts could have offered a separate room and video link to view court proceedings and should institute this immediately. Further evidence of the disregard includes the perception of abusive incidents as not serious, or the fact that 'system' was not able to deal with an offender but expected the woman to do so. CJS outcomes offered little or no consequence to offenders, as reflected by Nancy's disclosure, that her partner's violence left her with cuts, scrapes, bruises, two black eyes, and a broken leg, and the loss of her job and home. Her partner received an eighteen-month probation order and two days for each breach charge of trying to contact her. Most alarmingly, however, the only time he spent in jail for the severe violence he inflicted upon her was when he was arrested for having assaulted her.

Previous research echoes my research participants' experiences of the criminal justice system response and process. Women in my study, as in other studies, experienced mixed negative and positive interactions within the criminal justice system. All of the participants in my study acknowledged system strengths concerning interactions with the RCMP, while some spoke of system weaknesses in terms of their negative interactions with RCMP, crown counsel officials, and court outcomes. System weaknesses were

experienced as a lack of consistency in who women dealt with, of feeling unsupported, a lack of follow-up and communication, of feeling unprotected, and a lack of consequence for their offenders.

Canadian research has found that for women who do report their domestic violence, a majority speak to positive interactions, whereas others report mixed interactions (Stephens & Sinden, 2000), and still others reported negative interactions as noted by Barrett, St. Pierre, and Vaillancourt (2011, p. 40). These findings are comparative to the dismay felt by the majority of female DV victims in the study of Gillis et al. (2006) in terms of the CJS in Ontario, CA, in response to their violent incidents of VAWIR. The outcomes for the offenders in court “do not correspond with the severity and repercussions of their partner’s abusive behaviors. The courts ensured little or no follow-up with respect to probation or provisions for treatment after prosecution, and women survivors were offered little protection from further violence after their partner completed his sentence” (p. 1164). Governments need to be held accountable for their responsibility to women’s equality and rights, instead of ignoring and disguising the gendered nature of VAWIR through blending it in with issues of ‘family violence’ or ‘spousal violence’ when research and statistics overwhelmingly show that the majority of abusers are male and survivors are females.

Differences

My research findings vary only slightly from that of the literature. Although a few women in my study expressed negative experiences with the CJS and its processes, there was a higher rate of satisfaction with the RCMP in relationship to their domestic violence incidents, as they shared having felt supported, and their matter validated by the response

of the police officer. Gillis et al.'s (2006) exploration of Canadian women's experiences of the legal-judicial system in regards to their domestic violence incidents gives attention to systemic barriers with police, the judicial system, and social service agencies. They reported only a few women in their study had identified a positive interaction with police and the criminal justice officials with "the majority of women were further traumatized by ambivalent or discriminatory attitudes and practices prevalent within the system" (Gillis et al., 2006, p. 163).

My research findings differed also in that some women reported that in the case of immediate harm, they would involve the criminal justice system through contacting police. Other research such as Gillis et al. (2006), demonstrated many women who experience their male partner's violence give serious consideration to whether they want to involve the criminal justice system in their violent intimate relationships, as reported by Barrett, St. Pierre, and Vaillancourt (2011).

Recommendations

Considering the experiences of all the women in my study, I questioned what would have benefitted them during their experiences. Women more likely would have felt their matter was regarded with seriousness, and felt supported through the enforcement of their legal rights to safety, rather than living in fear, if there had been specific domestic violence against women laws. Women would have felt better supported through criminal justice system personnel (police, crown counsel, probation, and judges) who had specific knowledge and training on the multi-dimensional problem of domestic violence, and had received coordinated responses from the CJS. Another benefit would have occurred through the enforcement of the already existing laws and policies regarding VAWIR.

These would have supported women in reporting the violence they were experiencing from their male partner through knowing their experience was against the law and as victims, they were not responsible for their male partner's choice to use violence against them, making it more likely, that there be a next time, she would report it to police. These steps would both uphold and promote women's legal and charter rights, and a big step taken towards women's equality. Thus, I recommend:

1. The development of specific laws regarding violence against women in relationships,
2. Enforcement of laws and policies,
3. More public education and awareness including training across the criminal justice system and systems involved with victims and families experiencing violence,
4. The development and promotion of programs and services to assist victims of violence against women in relationships including financial and housing supports,
5. The development of programs and services to provide both education and treatment to men who batter, and
6. Funding for development of laws, policies and programs.

Recommendation 1: Development of Laws and Legislation

Women's rights to safety and equality would be greatly advanced through development of specific violence against women in relationships laws under the Canadian Criminal Code of Canada, and provincially through BC legislation. A number of years ago in BC, focus was given to impaired driving with laws and enforcement put into practice in

2010. After a rise in people driving under the influence, Michael de Jong, Solicitor General, QC at the time, stated, “Despite increased enforcement and significant efforts to promote awareness, we’ve begun to see a rise in impaired driving across British Columbia. That trend is unacceptable and that’s why we’re bringing in these new laws: to get impaired drivers off the road with clear, swift and severe penalties” (BC Ministry of Public Safety and Solicitor General, 2010). The same occurred with the problem of bullying in schools and workplaces a few years ago, and again government put time and money into the creation of laws and awareness campaigns to send a message to society, and to enforce no tolerance. I think the statement of the Solicitor General offices should use this message again, with impaired driving replaced by the issue of violence against women in relationships. Actions such as this could have a tremendous impact to the social problem of VAWIR while upholding women’s equality and legal rights.

Recommendation 2: Enforcement

As violence against women most often consists of a pattern of behaviours and actions over a period of time, it would be very beneficial to have one judge assigned to each VAWIR case (Hughes & Chau, 2012). This would allow for consistency of the court file, and offer the judge opportunity to see the pattern of abuse behaviours. It may also prevent abusive behaviour if an abuser knows the same judge will hear their matter.

In order for the rights of women to be upheld and maintained and to follow the law, then the numerous policies, guidelines, and mandates in Canada, emphasizing the criminality of VAWIR, need to be enforced (Light et al., 2008; Rossiter, 2011). In terms of sending a strong societal message that violence will not be condoned, and in supporting women’s equality and rights, reported acts of violence against women, including acts of

violation of orders of protection, should be handled thoroughly and with care and sensitivity, but also with the severity it deserves. If the violation is found to be warranted, regardless of how minor it may be perceived, offenders should and need to be held accountable and prosecuted - rehabilitation or incarceration- each and every time.

The law is to act as a deterrent and to uphold legal rights; therefore, a consequence should exist for breaking the law. Enforcing violence against women as being a crime, it further affirms women enlisting the police and the CJS for help and support. This would assist women in feeling supported and protected by the criminal justice system. They would feel their Charter rights were being upheld, a big step would be taken towards the equality of women, and society, males, in particular, would perhaps receive the message that violence is not acceptable and will not be tolerated. A positive response by police and the criminal justice system would confirm to DV victims that what happened to them was wrong. This would not only positively influence women's self-esteem, but would also facilitate victims coming forward next time. Instead of minimizing the abuse and staying in the relationship, they would be more likely to come forward each time someone raised a harmful hand or foot in their direction.

Recommendation 3: Education, Prevention, and Training

Ignorance breeds tolerance. Fortunately, education is knowledge and knowledge is power – the power to make healthier, informed decisions about a person's actions and choices. In terms of effecting change and prevention, society and systems require education on the dynamics of harms women experience through domestic violence, as VAWIR not only comes at a cost to women, but also to society through the enormous price paid to departments such as health and legal systems as the literature has shown. Through

funding and creating education and prevention campaigns, more people would become aware of this societal problem. There has been some focus towards intervention, for example domestic violence courts, and domestic violence units within the RCMP. Integrated Case Assessment Teams have also been established in some communities, where high risk DV files are managed and coordinated with other programs such as community corrections, health and housing, RCMP, victim services, as well as the Ministry of Children and Family Development, in attempts to lower risk and provide interventions with healthy supports (Ending Violence Association, n.d.). Despite these positive actions, it does little towards working on the cause and prevention of male violence, specifically male violence against women.

Raising awareness of, and providing education about, violence against girls and women, including VAWIR, needs to begin within the educational system - for students and faculty alike - beginning in elementary school and through to all levels of education, including university. This education can be provided in numerous formats such as; the topic being included in yearly mandatory staff meetings, or included with workplace bullying and harassment training, or through mandatory attendance to a school assembly.

VAWIR training should also be required of the family, legal and criminal justice systems (Gillis et al., 2006; Rossiter, 2011; Ruff, 2012). The family, legal and criminal justice systems have an obligation to uphold a person's Charter rights so it is crucial that knowledge is provided to assist these system professionals in their jobs. Education should cover VAWIR dynamics including emotional, physical, sexual, and financial aspects. Training should be mandatory, as well as provided yearly. Ruff's (2012) study found police responded more effectively (i.e., accused were arrested, evidence was more often

collected from the scene of the incident, files were forwarded to crown to obtain charge approvals, and the crown approved charges) after completing training on responses to domestic violence incidents compared to their responses the year previous to the DV training (p. 295). DV training would then require federal and provincial governments to acknowledge their accountability to highlight solutions which are consistent and collaborative (Rossiter (2011). Further required is,

A comprehensive DV prevention and reduction plan for BC containing primary, secondary, and tertiary strategies, from public education initiatives to specific interventions for victims and perpetrators, as each reinforces the other and enhances the overall safety of women and children (Rossiter, 2011, p. 54).

Societal factors, such as patriarchy and oppression, are at the root of domestic and sexual violence. In response, these factors should be the focus of primary prevention strategies as recommended by The World Health Organization (2010). Strategies should also incorporate social development programs for children and youth, with a focus on the prevention of violence, and of intergenerational impacts of child neglect and abuse, with parents also receiving knowledge and support. The World Health Organization (2010) asserted that women's equality and empowerment are possible through the promotion of laws, enforcement of laws, mandates, practices, and education.

Recommendation 4: Supports for Victims

Promotion of victim service programs is required so the public are aware of this vital service. Victim services are valuable supports to victims who have/or are experiencing domestic violence. In the research of Gillis et al. (2006), women were often unsure of the language and the process of the CJS due to lack of knowledge of the legal-

criminal systems. This, therefore, caused women to feel frightened of the courtroom process, and they had little knowledge of their legal rights. Although some women found support through Canadian VS programs, many more had no knowledge of this service.

Housing is also a vital support for victims of VAWIR. It is critical that women escaping violence have a safe place to go. Burczycka and Cotter (2010) reported that 593 shelters existed in Canada in 2010. On April 15, 2010, 71% of women residing in either transition houses or other shelters were seeking safety from abuse. 67% of these women were seeking shelter from a current partner. The abuse was not reported to police by 60% of the women. There needs to be more transition houses and second stage housing available. Women need to have safe, affordable housing to assist in establishing their lives as the lack of affordable housing contributes to women returning to their abusive relationships.

Recommendation 5: Development of Programs and Services for Men

There is a lack of programs and services for men including those who use abuse and violence within their relationships (Rossiter, 2011). Within the provincial correctional facilities rehabilitative core programming for men is offered too medium- and high-risk offenders of domestic violence. The program, *Respectful Relationships* has two components: the first component is group sessions, and the second is group sessions facilitated once an offender is released back into the community, and is facilitated by a community-based organization. The Northern John Howard Society is such a program facilitating the *Stopping the Violence* program.

More programs and services are required for men aimed at prevention

Recommendation 6: Funding

Government has a responsibility to address and promote the health and safety of citizens and to ensure the equality of all; thus, it is necessary that there is funding directed at the creation and implementation of new laws, legislation, and programs. Programs already dealing with VAWIR, including the DV Units with RCMP and the ICAT teams, require sustained funding to continue their valuable services.

Conclusion

This study sought to understand how women experienced VAWIR including the laws, policies and practices. Overall findings revealed an ineffective criminal justice system response and process.

There are some possible limitations to this research. A possible limitation of this study is that the research pool in Prince George is small and the potential of respondents to be involved in more than one UNBC graduate project is significant. Future quantitative studies with more time and a larger sample population may provide specific information regarding the BC criminal justice system response, and impacts women victims of male partner violence may experience through the laws, policies and practices related to VAWIR. A further limitation may be the technological challenges I experienced with the recording equipment for the semi-structured interviews that caused me to rely upon my handwritten notes taken during the interviews. The research findings may not be generalizable, but the findings can be drawn on and can help to inform policy as individual experiences of women can speak to the general experience of women.

There appears to be a parallel to women's experiences of escalation of abuse and to the levels of court. On an individual level in their abusive relationships the abuse

escalates, and often continues while they are trying to end and get out of the relationship. The escalation then grows on a structural level within law and policy with each rung on the ladder of court- civil, family, provincial, and supreme –sentencing was abysmal.

All women in this study experienced structural violence through the legal process that did not uphold protection orders through the criminal justice system. In addition to the verbal and physical assaults that women experienced, their legal rights to safety and dignity as persons were significantly violated. Legal rights to safety and dignity of persons were not enforced and women's equality not promoted. These oppressions seriously compromise women's safety and forces women into vulnerable positions such as choosing between enduring the violence to retain economic security or leaving the violent partner, and losing economic security and acquiring the looming threat of her ex-partner's retaliation against her or her children.

The law is to act as a deterrent and to uphold legal rights; therefore, a consequence should exist for breaking the law. Enforcing violence against women as being a crime, it further affirms women enlisting the police and the CJS for help and support. This would assist women in feeling supported and protected by the criminal justice system. They would feel their Charter rights were upheld, and a big step would be taken towards the equality of women.

Of an interesting note, only one woman spoke of her child's impacts resulting from the abusive relationship. Although I did not ask questions specific to participant's children, women did have an opportunity to share other information that my questions may not have covered in terms of their experiences. This may also have occurred because this was a hard topic to discuss, or that women were provided a space to think of themselves and the

court process and were caught up in their own experience with the legal systems. It may also be how women coped by not talking about their children and how they may have been impacted. Interestingly, I did not find any relation to the race of my participants and their encounters with the legal systems, nor did women identify any issue of how this may have further affected their experiences.

The best thing that a man can do for his children is love their mother well. If he cannot do that and is abusive, he has no business being around the children as this is not in their best interest. Often children, especially daughter's, become a tool to further harm a woman. A woman and her children's right to safety should be upmost, not his right to his children. I also believe that police and crown need to be enforcing court orders and prosecuting breaches of orders. By abusing his partner, he has already shown a lack of respect for her, and by not complying with court orders, is showing a lack of respect for laws and court orders. He should go straight to jail. There should be zero tolerance for abuse and each abusive act should send a man to jail. If we started doing this, perhaps more men would take these charges seriously because as it stands now, it appears that men have learned that so long as there is not a witness and he does not leave a mark, nothing will happen to him as it becomes a matter of 'he said, she said.' This needs to change and women's rights need to be upheld.

Contrasting Results to my Theoretical Frameworks

A main tenet of feminism is the dominance of patriarchy that permeates economic, political, cultural, and legal systems through which the dominant group's rights are enforced and maintained through power over subordinate groups primarily consisting of women. Structural social work theory also recognizes the patriarchal power imbalances

based on gender in the criminal justice systems and institutions, as well as reflected throughout society as a whole, which minimize and victim blame while justifying men's abusive and assaultive behaviour. This causes further subjugating and marginalizing of women as a group. My research provides evidence of this in a number of ways: first, through the display of the domination of women through the emotional and physical force, which men chose to use against women in this study. Second, and as acknowledged by Johnson (2006), women experience great impacts in regards to their economic and social equality, mental and physical health, economic security, and well-being when they are victims of violence. These experiences exemplify the need for feminist and structural social work perspectives that bring to light the notion that power based relationships require and maintained through subordinate and dominant gender roles, with the former taken up usually by females, and the latter, males (Mullaly, 1997).

The criminal justice system is considered a secondary structure of oppression for women victims of domestic violence, as reported by Moreau (1989, as cited in Carniol, 1992) due to its oppressive and patriarchal regard (Anderson, 2005) through which dominant groups/men's rights are maintained and enforced. Further, it would appear that while both levels of government have acknowledged the tremendous impacts of VAWIR, governments have not acted to eradicate the gendered nature of violence in intimate relationships. On one hand there have been various laws, guidelines and policies created but despite this, there appears to be little enforcement of the laws, or consequence to abusive men's abhorrent actions and behaviours (Gillis et al., 2006; Rossiter, 2011). The actions of governments and social structures do not protect and uphold women's equality or rights under law or the Charter of Rights (Faulkner & MacDonald, 2009; Lakeman,

2005). Under the tyranny of structural and physical, covert and overt violence, women continue to live in fear.

Future Research Suggestions

In order to create effective and meaningful changes to domestic violence against women, it is crucial to understand the experiences of violence women endure in their intimate relationships, as well as their experiences of the criminal justice system in response to their violent experiences. As such, a future feminist research recommendation is a large in-depth study of DV victims' experiences of the criminal justice system across British Columbia, step-by-step from charge to court conclusion. As the policies, mandates and guidelines are provincial, such a large study may uncover the existing gaps within the 'systems' and further, may provide more answers as to why women's rights are overlooked and unsupported by law enforcers as well as the laws themselves. Gillis et al. (2006) encourage "a longitudinal research design that follows women through the legal-judicial system, gathering information at various stages of the prosecution process" (p. 1165). A further suggestion would be an in-depth study of how victims of VAWIR perceive the very laws and policies meant to protect their rights.

In summary, five meta-themes emerged through my analysis of six interviews with women from a northern BC community who had experienced domestic and further abuse through Canadian and BC laws, policies, and practices. These themes include: while in relationship, while out of relationship, response of the criminal justice system, criminal justice system, and future risk. In order to create any tangible changes to the massive societal problem of male violence against women in relationships, there are numerous areas to be addressed.

1. Development of specific laws regarding violence against women in relationships,
2. Enforcement of laws and policies,
3. More public education and awareness including training across the criminal justice system and systems involved with victims and families experiencing violence,
4. Development and promotion of programs and services to assist victims of violence against women in relationships,
5. Development of programs and services to educate men who batter, and
6. Funding.

We live in a world and society where violence towards girls and women is acceptable and maintained through families, communities, and governments as this sustains male privilege, power and ultimately, control. This is very evident when one considers the lack of specific laws criminalizing males' violence against girls and women, specifically violence against women in relationships, and the lack of enforcement of the criminal orders meant to protect women victims of domestic violence. None of this ought to be tolerated, and things need to change at societal and governmental levels to enforce female personal safety and equality. I am a grandmother to both genders, yet it is for the safety of my granddaughter, I fear most. As she grows up in a world where girls and women do not possess equality, legally or financially, and where physical and sexual violence against them is the norm given the rates reported in the research, what is to be her fate? My wish for her and all the other little girls in the world is that with time, work, and efforts towards equality, girls and women will be free to walk confidently in the world, and

to be safe within their intimate relationships. I want them also to possess confidence in knowing that if their safety is ever at risk and/or compromised, their rights to safety and dignity will be enforced. Fulfilling any or all of my recommendations would help accomplish that altruistic world I envision not just for my granddaughter, but for all girls and women, as is their right.

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Appendix A

Participant Information Sheet

**Title of Study: Women's experiences of the Laws, Policies, and Practices of
Violence Against Women in Relationships.**

Information about the Project

Dear Participant: You have been invited to participate in a research study because you are a woman over the age of 19 who has/had violence in her intimate relationships. Due to this violence, you have had contact with the criminal justice system during the time period of 2007-2014. This research is to learn about the experiences of women who have had contact with the criminal justice system (i.e., police, lawyers, crown counsel, probation officer/bail supervisor, and judges) due to violence in their intimate relationships (VAWIR).

The research project is being conducted by Cindy West, MSW student, for the partial fulfillment of the Master of Social Work degree under the supervision of Dr. Indrani Margolin at the University of Northern British Columbia (UNBC). There are two interviews included in this research: the first will be in person and last approximately 60-90 minutes; the second interview is to ensure the transcription accurately reflects the participant's words and meanings and can be conducted in person or by phone, and will take approximately 30 - 40 minutes. The following Participant Consent form will apply to both interviews.

The purpose of this project is to gain an understanding of women's lived experiences in response to their contact with the criminal justice system as a result of violence in their intimate relationships, past or present, and must have occurred during the time period of 2007-2014. This information will assist in understanding how women experience British Columbian laws, policies and practices related to violence against women in relationships. As such, this study is designed to uncover information which will serve to educate women serving organizations, criminal justice system personnel, and women themselves, about potential gaps in how laws and policies are actually carried out in practice, which may potentially increase women's safety. The information you provide during the interview process may serve to benefit women experiencing violence in their intimate relationships, and will increase knowledge in the field of violence against women in relationships.

Voluntary nature of participation

Your participation in this research study is completely **voluntary**. Should you choose to withdraw from the study during the initial interview, the tape recording, hand-written notes, and any information you have provided will be immediately destroyed. You have the right to not answer any questions and still participate in the study. Withdrawal from

the project cannot happen after the thesis is completed. Please note you may be withdrawn from this research if circumstances put you or the study at risk, i.e. being in an unhealthy relationship and being scared of partner knowing of your participation in this study. Decisively detailing false accounts (not being truthful) and/or increased psychological harm to you, i.e. mental health issues such as anxiety and/or depression, are issues which may warrant terminating your involvement in the project.

There is potential of minimal risk by participating in this research. The risks are that through this process, stressful incidents may reemerge in your memory leading you to re-experience certain negative emotions. If you feel at risk of harm emotionally or physically, the researcher will assist you in developing an immediate safety plan to help reduce risk and increase your safety, including referrals to women's transition homes, victim services programs, local counselling programs, or a suitable mental health professional, and doctor. Phone numbers for local counseling services will also be provided at the beginning of the first interview. In accordance with the Social Work Code of Ethics and by law the researcher also has a legal obligation to report to the proper authority's knowledge of a child being abused or at risk of abuse; or a plan to harm others or self. There is risk of the researcher's files being subpoenaed by a third party. The researcher also cannot guarantee your anonymity due to the small sample size of participants.

Potential benefits may include feeling empowered by telling your story and knowing your experiences may serve to strengthen laws, policies and practices of criminalizing violence against women in relationships. The research findings will also be given to appropriate levels of government, and women serving organizations, and may be presented at conferences or community presentations and published in journals in order to help/assist others in advocating and supporting women's rights under law. This can increase women's rights and safety in British Columbia.

You will be asked to participate in two interviews. The first interview will be conducted wherever you are comfortable, and is anticipated to last one to one and a half hours. The second interview can be conducted in person or by phone for follow up and will take approximately thirty to forty minutes.

A pseudonym will be used in place of your name. The researcher and her supervisor, Dr. Indrani Margolin, will be the only persons to have access to the interview information. The tapes, interview notes, and transcripts will be securely stored in a locked file cabinet in the researcher's supervisor's office and electronic files will be password protected. There will be no identifiers in the final research report.

Once your interview is completed, the results will be grouped with the other interview results and analyzed. Your responses will be kept confidential. The information you provide will be reflected in the final thesis with your anonymity being maintained. Once research is completed, all data will be stored by the School of Social Work Department at UNBC in a locked cabinet. After five years the data will be destroyed.

Upon completion of the research the final report will be available. If you would like a copy of the report please feel free to contact Cindy West at (250) 961-9835 or by email at atwestc@unbc.ca or Dr. Indrani Margolin, Research Supervisor at (250) 960-6437 or margolin@unbc.ca. If you have any complaints about this research, please direct them to the UNBC Office of Research at (250) 960-6735 or email at reb@unbc.ca.

As part of this process, you must be given a copy of your consent form. Whether or not you decide to participate in this research, I would like to thank you for having taken the time to read over the above information.

Sincerely,

Cindy West, BSW, MSW Candidate

Appendix B

Participant Consent Form

	No	Yes
Do you understand you have agreed to participate in a research study?	<input type="checkbox"/>	<input type="checkbox"/>
Have you received and read a copy of the attached information sheet explaining the purpose and goal of the research?	<input type="checkbox"/>	<input type="checkbox"/>
Has confidentiality been explained to you?	<input type="checkbox"/>	<input type="checkbox"/>
Do you understand the benefits and risks involved in participating in this research study?	<input type="checkbox"/>	<input type="checkbox"/>
Do you understand the researcher's duty to report to the proper authority's any disclosures of a child being abused or at risk of abuse; or a plan to harm others or self, and that there is a risk of the researcher's files being subpoenaed by a third party?	<input type="checkbox"/>	<input type="checkbox"/>
Do you understand that you are free to refuse to participate or to withdraw from the study at any time?	<input type="checkbox"/>	<input type="checkbox"/>
Do you understand who will have access to the information you provide?	<input type="checkbox"/>	<input type="checkbox"/>
Have you had an opportunity to ask questions and discuss this study?	<input type="checkbox"/>	<input type="checkbox"/>
Do you understand this research interview will be recorded?	<input type="checkbox"/>	<input type="checkbox"/>
Do you understand that some of your statements may be published?	<input type="checkbox"/>	<input type="checkbox"/>

To be completed by the Research Participant.

I agree to take part in this study. I agree that my rights within this study have been fully explained to me.

Signature of Research Participant _____

Date: _____

Printed name of Research Participant _____

I believe the person signing this form understands what is involved in this study and has voluntarily agreed to participate in this study.

Signature of investigator _____

Date _____

Printed name of investigator _____

Contact information: Cindy West
(250)961-9835
westc@unbc.ca

Supervisor: Dr. Indrani Margolin
(250) 960-6437
margolin@unbc.ca

This study has been reviewed by the Research Ethics Board at the University of Northern British Columbia. If you have any questions regarding participant's rights and ethical conduct of research, please contact the Office of Research at (250)960-6735.

Appendix C: Semi-Structured Interview Guide

Semi-Structured interview guideline questions:

- 1) Can you share with me what it was like to experience domestic violence?
- 2) Can you share with me how you experienced the police investigation?
- 3) If you had/have any protection order (Peace Bonds, Restraining Order, No Contact Order) what is your understanding of the of the order?
- 4) Can you share how you received a copy of the protection order?
- 5) Were you informed of what breaches against the protection order/court order are, and how to report any breaches?
- 6) Can you tell me about any safety concerns you may have had, and how safe you felt with a protection order?
- 7) Can you share with me your experience, if any, with the Crown Counsel's office?
- 8) Can you tell me how you experienced the police investigation in terms of timely response in transferring file to Crown, and a complete investigation? Were you informed of the offenders release from incarceration?
- 9) If crown counsel dropped, or stayed charges against the accused, were you notified?
- 10) Were you offered referrals to programs and services that helped you further?
- 11) Can you tell me if there is anything through this process that you learned about your personal rights to safety?
- 12) Can you share your experiences, if any, with support services if offered by police or Crown?
- 13) Can you tell me about your experience of being in court?
- 14) In the future if you felt your safety was at risk due to relationship violence, who would you call and why?
- 15) Is there anything else about this experience that you would like to share with me?

Appendix D: Participant Demographics

Participant Demographics

1. Age: _____
2. Sex: Female _____ Other _____
3. What do you consider your ethnicity to be? _____
4. What is your highest level of schooling? _____

Appendix E: Prince George Community Counselling Resources

Prince George Community Counselling Resources

Community Response Unit (250) 565-2668

Community Care Centre (250) 960-6457

Crisis Line (250) 563-1214

Elizabeth Fry Society (250) 563-1113

Northern John Howard Society (250) 561-7343

Prince George Native Friendship Centre
Healing Centre (250) 564-4324

Family physician can also provide a referral to mental health professionals.

Appendix F: REB Research Approval

UNIVERSITY OF NORTHERN BRITISH COLUMBIA

RESEARCH ETHICS BOARD

MEMORANDUM

To: Cindy West
 CC: Ingrid Margolin
 From: Ross Hoffman, Acting Chair
 Research Ethics Board
 Date: May 11, 2016
 Re: E2015.0324.015.00
 Women's experiences of the Laws, Policies, and Practices of
 Violence Against Women in Relationships

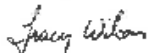
Thank you for submitting revisions to the Research Ethics Board (REB) regarding the above-noted proposal. Your revisions have been approved.

We are pleased to issue approval for the above named study for a period of 12 months from the date of this letter. Continuation beyond that date will require further review and renewal of REB approval. Any changes or amendments to the protocol or consent form must be approved by the REB.

If you have any questions on the above or require further clarification please feel free to contact Rhonda Robinson in the Office of Research (rrb@unbc.ca or 250-860-6735).

Good luck with your research

Sincerely,



for: Dr. Ross Hoffman
 Acting Chair, Research Ethics Board